



**DNT**

**From:** Lee, Mark [mlee@manatt.com]  
**Sent:** Tuesday, October 23, 2007 11:05 AM  
**To:** DNT  
**Subject:** Apparent Violations Of The Court's Order

Dear Mr. Tarlow:

I write because we have obtained information that is of great concern. Your client RMG technologies, Inc. ("RMG") appears to be violating the terms of the preliminary injunction Judge Collins issued only last week. It is doing so in several different ways.

First, RMG continues to promote its services on its website by maintaining its "Purchasemaster" web pages. See Ticketmaster's MPI Exhibit 1. Such actions violate the Court's order prohibiting "trafficking" in infringing products.

Second, the Rocky Mountain News reports that RMG's "technical support employees were still staffing their phones" after the Court granted Ticketmaster's motion. See [http://www.rockymountainnews.com/drmn/business/article/0\\_1299\\_DRMN\\_4\\_5726976\\_00.html](http://www.rockymountainnews.com/drmn/business/article/0_1299_DRMN_4_5726976_00.html). Such actions violate the prohibitions against "facilitating" infringing activities contained in the Court's order.

Third, Ticketmaster has discovered a number of individuals, including but not limited to Messrs. Bonner and Prior, who are continuing to engage in significant, automated ticket request and ticket purchase activities using IP addresses that are actively managed by RMG after the Court entered its order. Such actions violate the very essence of the preliminary injunction. We believe all of these actions expose your client to liability for contempt of the Court's order.

Without waiving any of its rights, Ticketmaster demands that RMG immediately cease and desist all of the above described activities, and provide Ticketmaster with a full accounting of all actions it has taken in violation of the Court's order since October 15, 2007 in these circumstances.

We ask that you confirm by no later than the close of business on Friday, October 26, 2007 whether RMG will comply with these demands. Although Ticketmaster would prefer to resolve this matter informally, if there is not immediate, strict compliance with the Court's order it may be forced to move for a civil contempt order that will seek all available relief, including but not limited to appropriate coercive measures and Ticketmaster's costs and attorney's fees in bringing the motion.

We urge your client to agree to the demands made in this letter and comply with the Court's order in these circumstances.

Sincerely,

Mark S. Lee  
 Manatt, Phelps & Phillips, LLP  
 11355 W. Olympic Blvd.  
 Los Angeles, CA 90064  
 Phone: 310-312-4128  
 Fax: 310-312-4224

IRS CIRCULAR 230 DISCLOSURE: To comply with requirements imposed by recently issued treasury regulations, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written by us, and cannot be used by you, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another person any transaction or matter addressed herein. For information about this legend, go to [http://www.manatt.com/uploadedFiles/Areas\\_of\\_Expertise/Tax\\_Employee\\_Benefits\\_and\\_Global\\_Compensation/Circular230.pdf](http://www.manatt.com/uploadedFiles/Areas_of_Expertise/Tax_Employee_Benefits_and_Global_Compensation/Circular230.pdf)

## **EXHIBIT “B”**



1. INDEXED

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28CLERK, U.S. DISTRICT COURT,  
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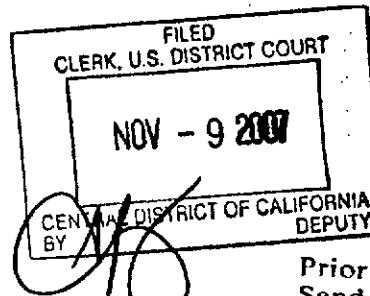
UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIATICKETMASTER L.L.C., a Virginia  
limited liability company,

Plaintiff,

vs.

RMG TECHNOLOGIES, INC., a  
Delaware corporation, and DOES 1  
through 10, inclusive,

Defendants.



Priority  
Send  
Enter  
Closed  
JS-5/JS-6  
JS-2/JS-3  
Scan Only

Case No. CV 07-2534-ABC (JCx)

Hon. Audrey B. Collins

**[PROPOSED] ORDER GRANTING  
LEAVE TO TAKE EXPEDITED  
DISCOVERY TO DETERMINE  
COMPLIANCE WITH  
PRELIMINARY INJUNCTION**

Complaint filed: April 17, 2007

1

2                 Based upon the *Ex Parte* Application for Expedited Discovery to  
3 Determine Compliance with Preliminary Injunction submitted by plaintiff  
4 Ticketmaster L.L.C., the Memorandum of Points and Authorities and Declarations  
5 in support the application, and the pleadings and papers on file with the Court, and  
6 GOOD CAUSE HAVING BEEN SHOWN THEREFORE:

7                 IT IS HEREBY ORDERED THAT RMG Technologies, Inc. produce and  
8 make available the following electronic information and documentation without  
9 objection within five days of the issuance of this order:

10                 a.         HTML and all source code and binary/executable copies of code  
11 for RMG's "TBAT," "Super Proxy," and other products and services used to  
12 facilitate ticket purchases on ticketmaster.com;

13                 b.         All "log" files from the "super proxies" resident on RMG's  
14 computers from October 15, 2007 to the present;

15                 c.         The "properties" files on RMG's computers;

16                 d.         Access to RMG's "client" computers;

17                 e.         A list of or documents identifying all internet service providers  
18 and all IP addresses (foreign and domestic) allocated to the "TBAT" product that  
19 RMG controls;

20                 f.         A list of or documents identifying all the internet service  
21 providers and all IP addresses (foreign and domestic) owned or controlled by RMG;

22                 g.         All files and data related to Ticketmaster's CAPTCHA that  
23 services RMG's Optical Character Recognition ("OCR") product, or other  
24 mechanism for solving CAPTCHA, which would be stored either on RMG's  
25 filesystem(s) or its databases;

26                 h.         All files and applications related to answering or responding to  
27 Ticketmaster's security measures, including but not limited to its "hashcash" or  
28 "POW" programs;

1           i.     All documents and applications used in developing RMG's  
2 "TBAT," "Super Proxy" and OCR, including test environments; and  
3           j.     All documents regarding RMG's "Super Proxy" and OCR  
4 product performance capabilities.

6 IT IS SO ORDERED.

Date: Nov. 9, 2007 Audrey B. Collins  
Hon. Audrey B. Collins

9 | SUBMITTED BY:

10 MANATT, PHELPS & PHILLIPS, LLP  
11 ROBERT H. PLATT (Bar No. CA 108533)  
12 MARK S. LEE (Bar No. CA 94103)  
DONALD R. BROWN (Bar No. CA 156548)

12  
13 Mark S Lee  
14

14 Attorneys for Plaintiff

411721101

**PROOF OF SERVICE**

I, Lorena Ramirez, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 11355 West Olympic Boulevard, Los Angeles, California 90064-1614. On November 6, 2007, I served a copy of the within document(s): [PROPOSED] ORDER GRANTING LEAVE TO TAKE EXPEDITED DISCOVERY TO DETERMINE COMPLIANCE WITH PRELIMINARY INJUNCTION

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
  - by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
  - by placing the document(s) listed above in a sealed envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Golden State Overnight agent for delivery.
  - by causing the document(s) listed above to be hand delivered to the person(s) at the address(es) set forth below by a certified messenger service.
  - by sending an electronic message with attached PDF.

David N. Tarlow, Esq.  
Law Offices of Coggan & Tarlow  
1925 Century Park East, Suite 2320  
Los Angeles, California 90067-2343  
Tel. No. (310) 407-0922  
Fax No. (310) 407-0923  
Email: [davidtarlow@verizon.net](mailto:davidtarlow@verizon.net)  
Email: [dnt@cogganlaw.com](mailto:dnt@cogganlaw.com)

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on November 6, 2007, at Los Angeles, California.

Lorena Ramirez



1 JAY M. COGGAN, State Bar No. 86107  
2 DAVID N. TARLOW, State Bar No. 214050  
3 JOSHUA G. BLUM, State Bar No. 249082  
COGGAN & TARLOW  
1925 Century Park East, Suite 2320  
Los Angeles, California 90067  
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5

6 Attorneys for Defendant/Cross-Complainant RMG TECHNOLOGIES, INC., a  
7 Delaware corporation  
8

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 TICKETMASTER L.L.C., a  
12 Virginia limited liability company,

13 Plaintiff,

14 v.

15 RMG TECHNOLOGIES, INC., a  
16 Delaware corporation and DOES 1  
through 10, inclusive,

17 Defendants.

Case No.: CJ 07-2534  
ABC(JWJx)

DEFENDANT RMG  
TECHNOLOGIES, INC.  
RESPONSE TO REQUEST FOR  
PRODUCTION OF  
DOCUMENTS (SET ONE)

19  
20  
21 PROPOUNDING PARTY: TICKETMASTER L.L.C., a Virginia limited  
22 liability company

23 RESPONDING PARTY: RMG TECHNOLOGIES, INC., a Delaware  
24 corporation

25 SET NO.: ONE  
26  
27  
28

Response to Document Request

1        It should be noted that this Responding Party has not fully completed the  
2 investigation of the facts relating to this case, has not fully completed discovery in  
3 this action and has not completed preparation for the trial. All of the responses  
4 contained herein are based only upon such information and documents which are  
5 presently available to and specifically known to this responding party and  
6 disclose only those contentions which presently occur to such responding party.

7        It is anticipated that further discovery, independent investigation, legal  
8 research and analysis will supply additional facts, add meaning to the known facts,  
9 as well as establish entirely new factual conclusions and legal contentions, all of  
10 which may lead to substantial additions to, changes in and variations from the  
11 contentions herein set forth.

12      The following responses are given without prejudice to responding party's  
13 rights to produce evidence of any subsequently discovered fact or facts which  
14 these responding parties may later recall. Responding Party accordingly reserve  
15 the right to change any and all responses herein as additional facts are ascertained,  
16 analyses are made, legal research is completed and contentions are made.

17      The responses contained herein are made in a good faith effort to supply as  
18 much factual information and as much specification of legal contentions as is  
19 presently known, but should in no way be to the prejudice to this responding party  
20 in relation to further discovery, research, or analysis.

21      **RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS**

22      **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 1**

23      All Documents relating to every purchase by You of Tickets.

24      **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 1**

25      After a diligent search and reasonable inquiry, Responding Party is unable  
26 to comply with this request, as it is not in possession, custody or control of any  
27 documents relating to its own purchase of tickets.

28      //

1        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 2**

2            All Documents relating to Your decision for which particular events to buy  
3 Tickets.

4        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 2**

5            After a diligent search and reasonable inquiry, Responding Party is unable  
6 to comply with this request, as it is not in possession, custody or control of any  
7 documents relating to its own purchase of tickets.

8        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 3**

9            All Communications between You and any other Person relating to Your  
10 decision for which particular events to buy Tickets.

11        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 3**

12            After a diligent search and reasonable inquiry, Responding Party is unable  
13 to comply with this request, as it is not in possession, custody or control of any  
14 documents relating to its own purchase of tickets.

15        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 3**

16            All Documents relating to all sources of funds You used to purchase  
17 Tickets.

18        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 3**

19            After a diligent search and reasonable inquiry, Responding Party is unable  
20 to comply with this request, as it is not in possession, custody or control of any  
21 documents relating to its own purchase of tickets, and accordingly, has no record  
22 of the source of any such funds.

23        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 4**

24            All Documents relating to every sale by You of Tickets.

25        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 4**

26            After a diligent search and reasonable inquiry, Responding Party is unable  
27 to comply with this request, as it is not in possession, custody or control of any  
28 documents relating to its own sale of tickets, because Responding Party does not

1 sell tickets.

2 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 5**

3 All Documents relating to every product You have developed,  
4 purchased, or otherwise acquired for the purpose of facilitating the sale of Tickets.

5 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 5**

6 Responding Party objects to this request as it is vague, ambiguous and  
7 overbroad. Responding Party objects to this request as it seeks information  
8 beyond the scope of permissible discovery that is not relevant to the issues in the  
9 instant lawsuit. Responding Party objects to this request as it requests "trade  
10 secrets" and "commercial information" which will not be produced without a court  
11 ordered protective order or stipulated protective order. Notwithstanding the  
12 foregoing objections, after a diligent search and reasonable inquiry, Responding  
13 Party is unable to comply with this request. Responding Party has never  
14 developed, purchased or acquired products for the purpose of it purchasing tickets  
15 on its own behalf.

16 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 5**

17 All Documents relating to the method(s) by which You transferred or  
18 delivered Tickets to third parties.

19 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 5**

20 Responding Party objects to this request as it is vague, ambiguous and  
21 overbroad. Responding Party objects to this request as it seeks information  
22 beyond the scope of permissible discovery that is not relevant to the issues in the  
23 instant lawsuit. Notwithstanding the foregoing objections, after a diligent search  
24 and reasonable inquiry, Responding Party is unable to comply with this request, as  
25 Responding Party has never transferred or delivered Tickets to third parties.

26 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 6**

27 All Communications relating to Your method(s) of transferring or  
28 delivering Tickets to third parties.

1        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 6**

2            Responding Party objects to this request as it is vague, ambiguous and  
3 overbroad. Responding Party objects to this request as it seeks information  
4 beyond the scope of permissible discovery that is not relevant to the issues in the  
5 instant lawsuit. Notwithstanding the foregoing objections, after a diligent search  
6 and reasonable inquiry, Responding Party is unable to comply with this request, as  
7 Responding Party has never transferred or delivered Tickets to third parties.

8        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 7**

9            All Documents relating to the actions You took with the monies You  
10 received for the sale of Tickets.

11        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 7**

12            Responding Party objects to this request as it is vague, ambiguous and  
13 overbroad. Responding Party objects to this request as it seeks information  
14 beyond the scope of permissible discovery that is not relevant to the issues in the  
15 instant lawsuit. Notwithstanding said objections, Responding Party cannot  
16 comply with this request as it did not receive monies for the sale of Tickets.

17        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 8**

18            All Documents relating to any Automated Devices used to access  
19 Ticketmaster's website and buy Tickets.

20        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 8**

21            Responding Party objects to this request as it is overbroad with respect to  
22 the definition of "Automated Devices." Notwithstanding this objection, after a  
23 diligent search and reasonable inquiry, Responding Party is unable to comply with  
24 this request, as Responding Party does not have any records reflecting its purchase  
25 of any Tickets from Ticketmaster's website in its possession, custody or control.

26        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 9**

27            All Documents relating to any web-based applications used to purchase  
28 Tickets.

**RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 9**

2        Responding Party objects to this request as it is vague, ambiguous and  
 3        unintelligible as to the term "web-based applications used to purchase Tickets."  
 4        Responding party objects to this request as it is overbroad. Notwithstanding the  
 5        foregoing objections, after a diligent search and reasonable inquiry, Responding  
 6        Party is unable to comply with this request as it does not have any records in its  
 7        possession, custody or control with respect to its purchase of Tickets, or the  
 8        purchase of Tickets on its behalf.

**REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 10**

10      All Documents relating to all methods You used to purchase Tickets.

**RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 10**

12        Responding Party objects to this request as it is beyond the scope of  
 13        permissible discovery, in that it is not relevant to Ticketmaster's claims.  
 14        Responding party objects to this request as it is overbroad. Notwithstanding the  
 15        foregoing objections, after a diligent search and reasonable inquiry, Responding  
 16        Party is unable to comply with this request as it does not have any records in its  
 17        possession, custody or control with respect to its purchase of Tickets, or the  
 18        purchase of Tickets on its behalf.

**REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 11**

20      All Documents relating to how You obtained or developed Automated  
 21        Devices and software used to buy Tickets.

**RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 11**

23        Responding Party objects to this request as it is overbroad with respect to  
 24        the definition of "Automated Devices." Responding Party objects to this request  
 25        as it is oppressive and burdensome. Responding Party objects to this request as it  
 26        seeks information which constitutes "trade secrets" or other "confidential research,  
 27        development or commercial information" pursuant to Rule 26(c)(7), and would  
 28        only produce them pursuant to a protective order by the Court or a stipulated

1 protective order. Notwithstanding the foregoing objections, after a diligent search  
 2 and reasonable inquiry, Responding Party is unable to comply with this request, as  
 3 it is not in possession, custody or control of any documents relating to its own  
 4 purchase of tickets.

**REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 12**

6 All Documents relating to whom You transferred Automated Devices and  
 7 software used to buy Tickets.

**RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 12**

9 Responding Party objects to this request as it is overbroad with respect to  
 10 the definition of "Automated Devices." Responding Party objects to this request  
 11 as it seeks information which constitutes "trade secrets" or "commercial  
 12 information" pursuant to Rule 26(c)(7). Notwithstanding these objections,  
 13 Responding Party is unable to comply with this request as it has not transferred  
 14 any automated devices and software to any person or entity to purchase Tickets.

**REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 13**

16 All Documents relating to the purchase, use, distribution and resale of  
 17 tickets that were initially purchased through Ticketmaster.

**RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 13**

19 Responding Party objects to this request as it is beyond the scope of  
 20 permissible discovery. Responding Party objects to this request as it is overbroad.  
 21 Responding party objects to this request as it is irrelevant. Responding Party  
 22 objects to this request as it seeks commercial information of third parties.  
 23 Responding Party further objects to this request as it is vague, ambiguous, and  
 24 unintelligible as to the meaning of the term "tickets." Notwithstanding Responding  
 25 Party's objections, Responding Party lacks the ability to comply with this request  
 26 because after a diligent search and reasonable inquiry, no documents concerning  
 27 the use, distribution and resale of tickets purchased through Ticketmaster are in  
 28 Responding Party's possession, custody or control.

1        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 14**

2            All Communications with any Person regarding Ticketmaster or Tickets  
3 purchased through Ticketmaster.

4        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 14**

5            Responding Party objects to this request to the extent that it seeks all  
6 communications regarding Ticketmaster as burdensome and oppressive.  
7 Responding Party objects to this request as it is beyond the scope of permissible  
8 discovery. Responding Party objects to this request as it is overbroad. Responding  
9 Party objects to this request as it is compound; and therefore, it is vague and  
10 ambiguous. Notwithstanding Responding Party's objections, after a diligent search  
11 and reasonable inquiry, Responding Party is unable to comply with this request to  
12 the extent that it seeks information regarding Tickets purchased through  
13 Ticketmaster, as responding party does not have any records reflecting the  
14 purchase of any Tickets from Ticketmaster's website.

15        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 15**

16            All Documents regarding Ticketmaster or Tickets purchased through  
17 Ticketmaster.

18        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 15**

19            Responding Party objects to this request to the extent that it seeks all  
20 documents regarding Ticketmaster as burdensome and oppressive. Responding  
21 Party objects to this request as it is beyond the scope of permissible discovery.  
22 Responding Party objects to this request as it is overbroad. Responding Party  
23 objects to this request as it is compound; and therefore, it is vague and ambiguous.  
24 Notwithstanding Responding Party's objections, after a diligent search and  
25 reasonable inquiry, Responding Party is unable to comply with this request to the  
26 extent that it seeks information regarding Tickets purchased through Ticketmaster,  
27 as Responding Party does not have any records reflecting the purchase of any  
28 Tickets from Ticketmaster's website.

1        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 16**

2              All Communications to or from Ticketmaster.

3        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 16**

4              Responding Party objects to this request as it is beyond the scope of  
5              permissible discovery. Responding Party objects to this request as it is overbroad.  
6              Responding Party objects to this request as the information sought would equally  
7              be in the possession, custody, or control of Propounding Party. Notwithstanding  
8              Responding Party's objections, after a diligent search and reasonable inquiry,  
9              Responding Party is unable to comply with this request as it does not have any  
10             documents reflecting any communications to or from Ticketmaster in its  
11             possession, custody or control.

12        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 17**

13             All Documents relating to and sufficient to identify all Persons, including  
14             but not limited to ticket brokers or resellers, with whom you communicated about  
15             Tickets purchased through Ticketmaster.

16        **RESPONSE TO REQUEST FOR PRODUCTION NO.: 17**

17              Responding Party objects to this request as it is beyond the scope of  
18              permissible discovery. Responding Party objects to this request as it is overbroad.  
19              Notwithstanding Responding Party's objections, after a diligent search and  
20              reasonable inquiry, Responding Party is unable to comply with this request as it  
21              does not have any documents in its possession, custody or control regarding  
22              Tickets purchased through Ticketmaster.

23        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 18**

24             All contracts between You and any ticket broker, reseller or any other  
25             Person regarding the sale or transfer of Tickets.

26        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 18**

27              Responding Party objects to this request as it is beyond the scope of  
28              permissible discovery. Responding party objects to this request as it is overbroad.

1 Notwithstanding Responding Party's objections, after a diligent search and  
2 reasonable inquiry, Responding Party is unable to comply with this request as no  
3 such documents exist or ever has existed.

4 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 19**

5 All records, including but not limited to logs, schedules, spread sheets and  
6 other records of any type, regarding the purchase of Tickets.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 19**

8 After a diligent search and reasonable inquiry, Responding Party is unable  
9 to comply with this request as no such documents exist.

10 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 20**

11 All Documents relating to and sufficient to identify the name of every  
12 Person who purchased Tickets using Your technology.

13 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 20**

14 Responding Party objects to this request as it is oppressive and burdensome.  
15 Responding Party objects to this request as it seeks information which constitutes  
16 "trade secrets" or other "confidential research, development or commercial  
17 information" pursuant to Rule 26(c)(7). Notwithstanding the foregoing  
18 objections, after a diligent search and reasonable inquiry, Responding Party is  
19 unable to comply with this request as no such documents exist.

20 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 21**

21 All Documents relating to every credit card used by You, on Your behalf, or  
22 by Your clients to purchase Tickets.

23 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 21**

24 Responding Party objects to this request as exceeding permissible  
25 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
26 objects to this request as it seeks information which constitutes "trade secrets" or  
27 other "confidential research, development or commercial information" pursuant to  
28 Rule 26(c)(7). Responding Party objects to this request as it seeks confidential

1 financial information of third parties. Notwithstanding the foregoing objections,  
2 after a diligent search and reasonable inquiry, Responding Party is unable to  
3 comply with this request as no such documents exist.

4 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 22**

5 All Documents relating to and sufficient to identify every name used by  
6 You, on Your behalf, or by Your clients to purchase Tickets.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 22**

8 Responding Party objects to this request as exceeding permissible  
9 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
10 objects to this request as it seeks information which constitutes "trade secrets" or  
11 other "confidential research, development or commercial information" pursuant to  
12 Rule 26(c)(7). Responding Party objects to this request as it seeks confidential  
13 financial information of third parties. Notwithstanding the foregoing objections,  
14 after a diligent search and reasonable inquiry, Responding Party is unable to  
15 comply with this request as no such documents exist.

16 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 23**

17 All Documents relating to and sufficient to identify every physical address  
18 used by You, on Your behalf, or by Your clients to purchase Tickets.

19 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 23**

20 Responding Party objects to this request as exceeding permissible  
21 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
22 objects to this request as it seeks information which constitutes "trade secrets" or  
23 other "confidential research, development or commercial information" pursuant to  
24 Rule 26(c)(7). Responding Party objects to this request as it seeks confidential  
25 financial information of third parties. Notwithstanding the foregoing objections,  
26 after a diligent search and reasonable inquiry, Responding Party is unable to  
27 comply with this request as no such documents exist.

28 //

1        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 24**

2            All Documents relating to and sufficient to identify every email address  
3 used by You, on Your behalf, or by Your clients to purchase Tickets.

4        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 24**

5            Responding Party objects to this request as exceeding permissible  
6 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
7 objects to this request as it seeks information which constitutes "trade secrets" or  
8 other "confidential research, development or commercial information" pursuant to  
9 Rule 26(c)(7). Responding Party objects to this request as it seeks confidential  
10 financial information of third parties. Notwithstanding the foregoing objections,  
11 after a diligent search and reasonable inquiry, Responding Party is unable to  
12 comply with this request as no such documents exist.

13        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 25**

14            All Documents relating to all Internet Protocol ("IP") addresses used by  
15 You, on Your behalf, or by Your clients to purchase Tickets.

16        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 25**

17            Responding Party objects to this request as exceeding permissible  
18 discovery, as it is irrelevant to the issues in the instant matter. Notwithstanding  
19 the foregoing objection, after a diligent search and reasonable inquiry, Responding  
20 Party is unable to comply with this request as no such documents exist.

21        **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 26**

22            All Documents relating to and sufficient to identify all Internet Service  
23 Provider ("ISP") services provided or used by You, on Your behalf, or by Your  
24 clients to purchase Tickets.

25        **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 26**

26            Responding Party objects to this request as exceeding permissible  
27 discovery, as it is irrelevant to the issues in the instant matter. Notwithstanding  
28 the foregoing objection, after a diligent search and reasonable inquiry, Responding

1 Party is unable to comply with this request as no such documents exist.

2 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 27**

3 All Communications between You and any ISP.

4 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 27**

5 Responding Party objects to this request as exceeding permissible  
6 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
7 objects to this request as it is overbroad. Responding Party objects to this request  
8 as it is burdensome and oppressive.

9 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 28**

10 All Documents relating to the efforts You made to conceal from  
11 Ticketmaster the fact that Tickets were being purchased from Ticketmaster for  
12 Your benefit, on Your behalf, or by using Your technology.

13 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 28**

14 Responding Party objects to this request as it is vague, ambiguous and  
15 unintelligible as to the meaning of the word "efforts." Notwithstanding the  
16 foregoing objection, after a diligent search and reasonable inquiry, Responding  
17 Party is unable to comply with this request as no such documents exist.

18 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 29**

19 All Communications relating to the efforts You made to conceal from  
20 Ticketmaster the fact that Tickets were being purchased from Ticketmaster for  
21 Your benefit, on Your behalf, or by using Your technology.

22 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 29**

23 Responding Party objects to this request as it is vague, ambiguous and  
24 unintelligible as to the meaning of the word "efforts." Notwithstanding the  
25 foregoing objection, after a diligent search and reasonable inquiry, Responding  
26 Party is unable to comply with this request as no such documents exist.

27 //

28 //

1      **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 30**

2            All Communications between you and any Person relating to the sale or  
3 transfer of Tickets.

4      **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 30**

5            Responding Party objects to this request as it is vague, ambiguous and  
6 unintelligible as to the meaning of the word "you." Notwithstanding the foregoing  
7 objection, after a diligent search and reasonable inquiry, Responding Party is  
8 unable to comply with this request as no such documents exist.

9      **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 31**

10           All Communications between you and any Person relating to Ticketmaster.

11      **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 31**

12           Responding party objects to this request as exceeding permissible  
13 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
14 objects to this request as it is burdensome and oppressive. Responding Party  
15 objects to this request as it is overbroad. Responding Party objects to this request  
16 as it is vague, ambiguous and unintelligible as to the meaning of the word "you."

17      **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 32**

18           All documents that identify all persons to whom You sold, leased, rented,  
19 licensed or otherwise provided any and all products or services mentioned in  
20 Exhibit 1 of Ticketmaster's *Motion for Preliminary Injunction* filed in this case  
21 ("MPI Exh. 1") (attached hereto).

22      **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 32**

23           Responding Party objects to this request as exceeding permissible  
24 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
25 objects to this request as it seeks information which constitutes "trade secrets" or  
26 other "confidential research, development or commercial information" pursuant to  
27 Rule 26(c)(7). Responding Party objects to this request as it seeks confidential  
28 financial information of third parties. Notwithstanding the foregoing objections,

1 after a diligent search and reasonable inquiry, Responding Party is unable to  
 2 comply with this request as no such documents exist. All of the products listed in  
 3 MPI Exh. 1 are obsolete, have not been used for several years, and were not saved  
 4 by Responding Party.

**5 REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 33**

6 All Communications between You and any Person relating to the products  
 7 or services mentioned in MPI Exh. 1.

**8 RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 33**

9 Responding Party objects to this request as exceeding permissible  
 10 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
 11 objects to this request as it seeks information which constitutes "trade secrets" or  
 12 other "confidential research, development or commercial information" pursuant to  
 13 Rule 26(c)(7). Responding Party objects to this request as it seeks confidential  
 14 financial information of third parties. Notwithstanding the foregoing objections,  
 15 after a diligent search and reasonable inquiry, Responding Party is unable to  
 16 comply with this request as no such documents exist. All of the products listed in  
 17 MPI Exh. 1 related to Ticketmaster are obsolete, have not been used for several  
 18 years, and were not saved by Responding Party. Triple play is unrelated to  
 19 Ticketmaster, and Responding Party objects to producing any information relative  
 20 to same.

**21 REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 34**

22 All Documents, including but not limited to financial records, relating to all  
 23 revenue You have received relating to all products and services mentioned in MPI  
 24 Exh. 1.

**25 RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 34**

26 Responding Party objects to this request as exceeding permissible  
 27 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
 28 objects to this request as it seeks information which constitutes "trade secrets" or

1 other "confidential research, development or commercial information" pursuant to  
2 Rule 26(c)(7). Responding Party objects to this request as it seeks confidential  
3 financial information of third parties. Notwithstanding the foregoing objections,  
4 after a diligent search and reasonable inquiry, Responding Party is unable to  
5 comply with this request as no such documents exist. All of the products listed in  
6 MPI Exh. 1 related to Ticketmaster are obsolete, have not been used for several  
7 years, and were not saved by Responding Party. Triple play is unrelated to  
8 Ticketmaster, and Responding Party objects to producing any information relative  
9 to same.

10 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 35**

11 All Documents relating to the source code, object code, HTML and other  
12 computer code for all computer programs identified in MPI Exh. 1.

13 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 35**

14 Responding Party objects to this request as exceeding permissible  
15 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
16 objects to this request as it seeks information which constitutes "trade secrets" or  
17 other "confidential research, development or commercial information" pursuant to  
18 Rule 26(c)(7). Responding Party objects to this request as it seeks confidential  
19 financial information of third parties. Notwithstanding the foregoing objections,  
20 Responding Party will produce documents concerning the HTML and source code  
21 for RMG's "TBAT," "Super Proxy" and other products and services used to  
22 facilitate purchases on ticketmaster.com.

23 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 36**

24 All Documents relating to all agreements You entered into with any Person  
25 to whom You sold, leased, rented, licensed, or otherwise provided an Automated  
26 Device(s).

27 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 36**

28 Responding Party objects to this request as exceeding permissible

1 discovery, as it is irrelevant to the issues in the instant matter. Responding Party  
 2 objects to this request as it seeks information which constitutes "trade secrets" or  
 3 other "confidential research, development or commercial information" pursuant to  
 4 Rule 26(c)(7). Responding Party objects to this request as it seeks confidential  
 5 financial information of third parties.

**6 REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 37**

7 All Documents relating to all methods of avoiding detection of Your  
 8 activities or Your clients' activities by Ticketmaster.

**9 RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 37**

10 Responding Party objects to this request as it is vague, ambiguous and  
 11 unintelligible as to the term "activities." Notwithstanding the foregoing objection,  
 12 Responding Party is unable to comply with this request as no such documents  
 13 exist.

**14 REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 38**

15 All Documents relating to all Persons who created or helped create any  
 16 computer programs identified in MPI Exh. 1.

**17 RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 38**

18 Responding Party does not have any of the requested information in its  
 19 possession, custody or control, as same is obsolete.

**20 REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 39**

21 All Communications You have had with any Person to whom You sold,  
 22 leased, rented, or licensed or otherwise made available any products or services  
 23 mentioned in MPI Exh. I.

**24 RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 39**

25 Responding Party objects to this request as exceeding permissible  
 26 discovery, as it is irrelevant to the issues in the instant matter. Responding party  
 27 objects to this request as it seeks information regarding Triple Play, which is  
 28 unrelated to Ticketmaster. Notwithstanding the foregoing objections, Responding

1 Party does not have any of the requested information in its possession, custody or  
2 control, as same is obsolete.

3 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 40**

4 All Documents relating to and sufficient to identify all Persons who are or  
5 have been employed by You from January 1, 2001 to present.

6 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.:**

7 **40**

8 Responding Party will comply with this request.

9 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 41**

10 All Documents relating to all visits You made to Ticketmaster's website  
11 ([www.ticketmaster.com](http://www.ticketmaster.com)) from January 1, 2001 to present.

12 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.:**

13 **41**

14 Responding Party objects to this request as it is beyond the scope of  
15 permissible discovery. Responding Party objects to this request as being  
16 burdensome and oppressive. Responding Party objects to this request as it seeks  
17 information which is already in the possession, custody or control of Propounding  
18 Party.

19 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 42**

20 All Documents relating to the function, ownership, and maintenance of  
21 corporate existence of RMG, including articles of incorporation, minutes,  
22 resolutions, etc.

23 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.:**

24 **42**

25 Responding Party will comply with this request.

26 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 43**

27 All Documents relating to the function, ownership, and maintenance of  
28 corporate existence of Ticket Broker Tools, Inc., including articles of

1 incorporation, minutes, resolutions, etc.

2 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.:**

3 **43**

4 Responding Party will comply with this request.

5 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 44**

6 All Documents relating to and sufficient to identify all of Your officers and  
7 directors.

8 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.:**

9 **44**

10 Responding Party will comply with this request.

11 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 45**

12 All Documents relating to and sufficient to identify all of Your  
13 shareholders.

14 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.:**

15 **45**

16 Responding Party will comply with this request.

17 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 46**

18 All Documents relating to all Internet Protocol ("IP") addresses You have  
19 registered in the name of RMG, Ticket Broker Tools, Inc., or in the name of any of  
20 Your prior or affiliated businesses, employees' names, or in the name of any other  
21 Person(s) acting for Your benefit or on Your behalf.

22 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.:**

23 **46**

24 Responding Party will comply with this request.

25 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 47**

26 All Documents relating to all IP addresses registered by You for the use of  
27 Your clients.

28 //

1      **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.:**

2      **47**

3      Responding Party will comply with this request.

4      **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 48**

5      All Documents relating to all websites You have registered in the name of  
6      RMG, Ticket Broker Tools, Inc., or in any of Your prior business names,  
7      employees' names, or in the name of any other Person(s) acting for Your benefit or  
8      on Your behalf.

9      **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 48**

10     Responding Party will comply with this request.

11     **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 49**

12     All Documents relating to all web pages viewable on  
13     www.ticketbrokertools.com.

14     **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 49**

15     Responding Party objects to this request as it seeks documents, which by  
16     their very nature, are accessible to Propounding Party. Responding Party objects  
17     to this request as it is propounded for no other reason than to harass and annoy.

18     **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 50**

19     All Documents relating to all web pages viewable on  
20     http://tbat.ticketbrokertools.com.

21     **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 50**

22     Responding Party objects to this request as it seeks documents, which by  
23     their very nature, are accessible to Propounding Party. Responding Party objects  
24     to this request as it is propounded for no other reason than to harass and annoy.  
25     Responding Party objects to this request as it seeks information which it has  
26     already represented to the Court that it has accessed prior to bringing the *ex parte*  
27     application. Notwithstanding the foregoing objections, Responding Party does not  
28     have any documents in its possession, custody or control responsive to this request

1 because <http://tbat.ticketbrokertools.com> is not viewable; it is a software program.

2 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 51**

3 All Documents relating to all html and other computer code needed to create  
4 [www.ticketbrokertools.com](http://www.ticketbrokertools.com), or which is accessible from that website.

5 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 51**

6 Responding Party will comply with this request.

7 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 52**

8 All Documents relating to all html and other computer code needed to create  
9 <http://tbat.ticketbrokertools.com>, or which, is accessible from that website.

10 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 52**

11 Responding Party will comply with this request.

12 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 53**

13 All Documents relating to every visitor to [www.ticketbrokertools.com](http://www.ticketbrokertools.com) from  
14 January 1, 2001 to present.

15 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 53**

16 Responding Party objects to this request as burdensome and oppressive.  
17 Responding party objects to this request as it is beyond the scope of permissible  
18 discovery. Responding Party objects to this request as it is overbroad since it  
19 seeks information which is unrelated to Ticketmaster. Responding Party objects to  
20 this request as it seeks "trade secrets" and "confidential information" and  
21 "commercial information" of Responding Party.

22 **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 54**

23 All Documents relating to every visitor to [www.tbat.ticketbrokertools.com](http://www.tbat.ticketbrokertools.com)  
24 from January 1, 2001 to present.

25 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 54**

26 Responding Party objects to this request as burdensome and oppressive.  
27 Responding party objects to this request as it is beyond the scope of permissible  
28 discovery. Responding Party objects to this request as it is overbroad since it

1 seeks information which is unrelated to Ticketmaster. Responding Party objects to  
 2 this request as it seeks "trade secrets" and "confidential information" and  
 3 "commercial information" of Responding Party. Notwithstanding the foregoing  
 4 objections, Responding Party does not have any documents responsive to this  
 5 request in its possession, custody or control because  
 6 www.tbat.ticketbrokertools.com does not exist.

**REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 55**

8 All Documents relating to all advertising, promotion, or marketing of all  
 9 products or services described in MPI Exh. 1, in any form, context or medium

**RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 55**

11 Responding Party does not have any of the requested information in its  
 12 possession, custody or control, as same is obsolete.

**REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 56**

14 All Documents relating to all of Your revenues or profits from the sale or  
 15 lease of Automated Devices and software used to access Ticketmaster's website  
 16 and buy Tickets.

**RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 56**

18 Responding Party objects to this request as it is vague, ambiguous and  
 19 overbroad. Responding Party objects to this request as it seeks information  
 20 beyond the scope of permissible discovery that is not relevant to the issues in the  
 21 instant lawsuit. Notwithstanding said objections, Responding Party cannot  
 22 comply with this request as it did not receive any revenues or profits from the sale  
 23 or lease of Automated Devices and software used to access Ticketmaster's website  
 24 and buy Tickets.

**REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 57**

26 All Documents relating to all of Your revenues or profits from the sale or  
 27 lease of Automated Devices and software used to access any ticket selling website.

28 //

1     **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 57**

2         Responding Party objects to this request as it seeks information beyond the  
3 scope of permissible discovery that is not relevant to the issues in the instant  
4 lawsuit, as it specifically requests information unrelated to Ticketmaster.

5         Responding Party objects to this request as it is burdensome and oppressive.

6         Responding Party objects to this request as it is propounded for no reason other  
7 than to harass and annoy.

8     **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 58**

9         All Communications You had with any Person relating to the RMG  
10 products.

11     **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 58**

12         Responding Party objects to this request as it seeks information beyond the  
13 scope of permissible discovery that is not relevant to the issues in the instant  
14 lawsuit, as it specifically requests information unrelated to Ticketmaster.

15         Responding Party objects to this request as it is burdensome and oppressive.

16         Responding Party objects to this request as it is propounded for no reason other  
17 than to harass and annoy. Responding Party objects to this request as it is  
18 overbroad.

19     **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 59**

20         All Documents relating to every Internet Protocol ("IP) address used by  
21 You, Your customers, or on Your behalf to purchase Tickets.

22     **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 59**

23         Responding Party cannot comply with this request it does not have any  
24 documents in its possession, custody or control which reflect IP addresses for the  
25 Tickets, since RMG has no records concerning its purchase of same.

26     **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 60**

27         All Communications between You and any other Person regarding this  
28 lawsuit.

1           **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 60**

2           Responding Party objects to this request as it seeks information beyond the  
 3 scope of permissible discovery that is not relevant to the issues in the instant  
 4 lawsuit. Responding Party objects to this request as it is propounded for no reason  
 5 other than to harass and annoy. Responding Party objects to this request to the  
 6 extent that it seeks information protected by the attorney-client privilege. Privilege  
 7 log will be provided.

8           **REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 61**

9           All Communications between You and any other Person regarding any  
 10 lawsuit brought by Ticketmaster in the U.S. District Court, Central District of  
 11 California.

12           **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO.: 61**

13           Responding Party objects to this request as it seeks information beyond the  
 14 scope of permissible discovery that is not relevant to the issues in the instant  
 15 lawsuit. Responding Party objects to this request as it is propounded for no reason  
 16 other than to harass and annoy. Responding Party objects to this request to the  
 17 extent that it seeks information protected by the attorney-client privilege. Privilege  
 18 log will be provided.

19

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21           Dated:       November 14, 2007       COGGAN & TARLOW

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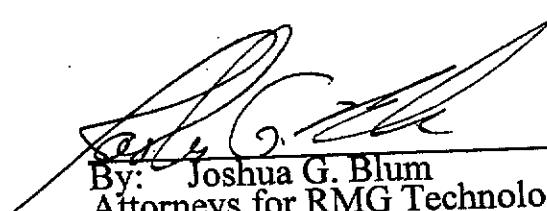
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By: Joshua G. Blum  
Attorneys for RMG Technologies, Inc.

## **PROOF OF SERVICE**

**STATE OF CALIFORNIA** )  
| )  
**COUNTY OF LOS ANGELES** )

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: **1925 Century Park East, #2320, Los Angeles, California 90067.**

9 On November 14, 2007, I served the foregoing document described as  
10 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS** on all  
11 interested parties in this action by placing true copies thereof, enclosed in sealed  
12 envelopes, and addressed as follows:

Robert H. Platt, Esq.

Donald Brown Esq.

Manatt, Phelps & Phillips, LLP  
11355 West Olympic Blvd.  
Los Angeles, CA 90064-1614

19           (X)    BY MAIL. I caused such envelopes to be deposited in the mail. I  
20 am "readily familiar" with the firm's practice of collection and processing  
21 correspondence for mailing. Under that practice it would be deposited with U.S.  
22 postal service on the same day with postage thereon, fully prepaid, at Los Angeles,  
23 California in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California and the United States that the above is true and correct.

1 Executed on this 14<sup>th</sup> day of November, 2007, at Los Angeles, California.  
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Monet Heslup



**DNT**

**From:** DNT  
**Sent:** Wednesday, November 21, 2007 10:26 AM  
**To:** Lee, Mark  
**Subject:** RE: Order Granting Expedited Discovery

The discs got caught up in transit. I don't have them yet. I am informed that the information on the discs can be accessed at the link below. I will call you now with the password. I am informed that the information on this link below satisfies categories (a), (e), (f), (g) and (h) of the Court's Order. I am informed that I will be receiving an email within the next hour or so with information that satisfies categories (c) and (i). I am informed that categories (b) and (j) do not exist, therefore, RMG does not have the ability to comply. I am informed that RMG cannot comply with category (d) as it does not have access to, possession, custody or control over any of its clients computers, nor does any RMG "client" computer exist.

[http://www.ticketbrokertools.com/document\\_production.zip](http://www.ticketbrokertools.com/document_production.zip)

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**From:** Lee, Mark [mailto:[mlee@manatt.com](mailto:mlee@manatt.com)]  
**Sent:** Wednesday, November 21, 2007 10:17 AM  
**To:** Lee, Mark; DNT  
**Subject:** RE: Order Granting Expedited Discovery

Dear David:

My team is ready to start reviewing the materials. Any idea when the discs will arrive?  
Sincerely,  
Mark S. Lee  
Manatt, Phelps & Phillips, LLP  
11355 W. Olympic Blvd.  
Los Angeles, CA 90064  
Phone: 310-312-4128  
Fax: 310-312-4224

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**From:** Lee, Mark  
**Sent:** Tuesday, November 20, 2007 1:34 PM  
**To:** 'DNT'  
**Subject:** RE: Order Granting Expedited Discovery

Dear David:

Thank you for your clarifying email. We will look for the discs and emails tomorrow morning. Rest assured that we will treat the materials as specified in the court's order.  
Sincerely,  
Mark S. Lee  
Manatt, Phelps & Phillips, LLP  
11355 W. Olympic Blvd.  
Los Angeles, CA 90064  
Phone: 310-312-4128  
Fax: 310-312-4224

**DNT**

**From:** DNT  
**Sent:** Wednesday, November 21, 2007 10:49 AM  
**To:** Lee, Mark  
**Subject:** RE: Order Granting Expedited Discovery  
**Attachments:** Payment\_status\_and\_Invoice\_value\_RMG.xls

More documents.

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**From:** Lee, Mark [mailto:[mlee@manatt.com](mailto:mlee@manatt.com)]  
**Sent:** Wednesday, November 21, 2007 10:40 AM  
**To:** DNT  
**Subject:** RE: Order Granting Expedited Discovery

My people are looking at this now, but had a couple of questions. Is everything that is on the discs accessible though this password protected link? Also, can Ticketmaster's IT personnel access this link from a Ticketmaster IP address?

Clarification would be appreciated.

Thanks,  
Mark S. Lee  
Manatt, Phelps & Phillips, LLP  
11355 W. Olympic Blvd.  
Los Angeles, CA 90064  
Phone: 310-312-4128  
Fax: 310-312-4224

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**From:** DNT [mailto:[dnt@cogganlaw.com](mailto:dnt@cogganlaw.com)]  
**Sent:** Wednesday, November 21, 2007 10:26 AM  
**To:** Lee, Mark  
**Subject:** RE: Order Granting Expedited Discovery

The discs got caught up in transit. I don't have them yet. I am informed that the information on the discs can be accessed at the link below. I will call you now with the password. I am informed that the information on this link below satisfies categories (a), (e), (f), (g) and (h) of the Court's Order. I am informed that I will be receiving an email within the next hour or so with information that satisfies categories (c) and (i). I am informed that categories (b) and (j) do not exist, therefore, RMG does not have the ability to comply. I am informed that RMG cannot comply with category (d) as it does not have access to, possession, custody or control over any of its clients computers, nor does any RMG "client" computer exist.

[http://www.ticketbrokertools.com/document\\_production.zip](http://www.ticketbrokertools.com/document_production.zip)

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**From:** Lee, Mark [mailto:[mlee@manatt.com](mailto:mlee@manatt.com)]  
**Sent:** Wednesday, November 21, 2007 10:17 AM  
**To:** Lee, Mark; DNT  
**Subject:** RE: Order Granting Expedited Discovery

Dear David:

**DNT**

**From:** DNT  
**Sent:** Wednesday, November 21, 2007 10:51 AM  
**To:** Lee, Mark  
**Subject:** Document Production  
**Attachments:** CJDUEINVOICES.zip; past ivoicesCJ.zip; Past\_Invoices.zip;  
Payment\_status\_and\_Invoice\_value\_RMG.xls

More documents.

**DNT**

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**From:** DNT  
**Sent:** Wednesday, November 21, 2007 1:15 PM  
**To:** Lee, Mark  
**Subject:** FW: Property Files

**Attachments:** beacon.properties; proxy.properties; proxy.properties2; typing.properties



beacon.properties  
(369 B)



proxy.properties  
(901 B)



proxy.properties2  
(1 KB)



typing.properties  
(271 B)

More documents.

**DNT**

---

**From:** DNT  
**Sent:** Monday, November 26, 2007 1:29 PM  
**To:** Lee, Mark  
**Subject:** FW: properties files

**Attachments:** typing.properties; beacon.properties; proxy.properties; proxy.properties2; ATT32899.txt



typing.properties  
(307 B)



beacon.properties  
(405 B)



proxy.properties  
(937 B)



proxy.properties2  
(1 KB)



ATT32899.txt (264  
B)

Further properties files which

I received over the weekend.

**DNT**

---

**From:** DNT  
**Sent:** Monday, November 26, 2007 1:52 PM  
**To:** Lee, Mark  
**Subject:** FW: properties files

**Attachments:** properties\_files.zip; ATT39647.txt



properties\_files.zip ATT39647.txt (835  
(3 KB) B)

Further files. I am informed that these are identical to those already forwarded to you.



1 JAY M. COGGAN, State Bar No. 86107  
2 DAVID N. TARLOW, State Bar No. 214050  
3 JOSHUA G. BLUM, State Bar No. 249082  
COGGAN & TARLOW  
1925 Century Park East, Suite 2320  
Los Angeles, California 90067  
4 Tel: (310) 407-0922  
Fax: (310) 407-0923  
5

6 Attorneys for Defendant/Cross-Complainant RMG TECHNOLOGIES, INC., a  
7 Delaware corporation

8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10  
11 **TICKETMASTER L.L.C., a**  
12 **Virginia limited liability company,**

13 Plaintiff,

14 v.

15 **RMG TECHNOLOGIES, INC., a**  
16 **Delaware corporation and DOES 1**  
**through 10, inclusive,**

17 Defendants.

18 }  
19 }  
20 }  
21 }  
22 }  
23 }  
24 }  
25 }  
26 }  
27 }  
28 }  
Case No.: CJ 07-2534  
ABC(JWJx)

DEFENDANT RMG  
TECHNOLOGIES, INC.  
RESPONSE TO REQUEST FOR  
PRODUCTION OF  
DOCUMENTS (SET ONE)

21 PROPOUNDING PARTY: RMG TECHNOLOGIES, INC., a Delaware  
22 corporation

23 RESPONDING PARTY: TICKETMASTER L.L.C., a Virginia limited  
24 liability company

25 SET NO.: ONE

26 **TO PLAINTIFF/COUNTERCLAIM-DEFENDANT TICKETMASTER**  
27 **L.L.C., a Virginia limited liability company AND ITS ATTORNEYS OF**  
28 **RECORD:**

Request for Production of Documents

1 Pursuant to Rule 34 of the Federal Rules of Civil Procedure, defendant  
2 and counter-claimant RMG TECHNOLOGIES, INC. ("RMG") hereby requests  
3 that plaintiff and counter-defendant TICKETMASTER L.L.C., a Virginia  
4 limited liability company ("Ticketmaster") respond in writing to the following  
5 requests for documents and things and produce and permit the inspection and  
6 photocopying of the documents and tangible things hereinafter designated at the  
7 offices of COGGAN & TARLOW, 1925 Century Park East, Suite 2320, Los  
8 Angeles, California within 30 days of service of these demands. Alternatively,  
9 the production may be accomplished by your delivery of copies of the requested  
10 documents and tangible things to Coggan & Tarlow at the above address  
11 provided that Ticketmaster or its authorized representative will make the  
12 originals of such documents and tangible things available for inspection and  
13 photocopying at a later date and upon reasonable notice by RMG or its  
14 authorized representative.  
15  
16 In responding to these requests, Ticketmaster is required by the  
17 Federal Rules of Civil Procedure to produce all responsive and  
18 non-privileged documents and tangible things in its possession, custody, or  
19 control, including those in the possession, custody, or control of its  
20 attorneys, agents, or other representatives.

## **DEFINITIONS AND INSTRUCTIONS**

3       1. "YOU," "YOUR" or "TICKETMASTER" shall mean  
4 Plaintiff/Counterclaim-Defendant Ticketmaster LLC, a Virginia LLC, and any  
5 other person or entities acting on its behalf, including, but not limited to any  
6 parents, subsidiaries, agents or representatives, as well as IAC/Interactive Corp., a  
7 Delaware corporation, Ticketmaster, a Delaware corporation or Tickemaster-  
8 Indiana, an Indiana joint venture.  
9  
10

11       2. The term "PERSON" or "PERSONS" shall include a natural person,  
12  
13 firm, association, organization, partnership, business, trust, limited  
14 liability company, corporation, or entity of any sort.

16           3.     The term "CLIENT" or "CLIENTS" shall mean the are  
17           venues, promoters, entertainers, sports franchises and other PERSONS  
18           who hire Ticketmaster to sell tickets to live events.

20           4. The term "CUSTOMER" or "CUSTOMERS" shall mean  
21 the ticket purchasing public.

23        5. The term "DOCUMENT" or "DOCUMENTS" shall mean any  
24 recorded communication, representation or writing as defined by the Federal  
25 Rules of Evidence and the Federal Rules of Civil Procedure, including originals  
26 and duplicates, whether in draft or otherwise, and copies and non-identical  
27

1 copies (whether different from the originals because of notes or marks made on  
2 or attached to said copies, or otherwise). It specifically includes all written,  
3 typewritten, printed or graphic materials of whatever kind or nature, including,  
4 but not limited to, any and all purchase orders, inventories, invoices, receipts,  
5 drawings, memoranda, letters, notes, telegrams, publications, contracts, records,  
6 papers, books, recordings on tape, magnetic discs, wire or drums, checks,  
7 computer files, **electronic mail**, drafts, money orders, worksheets, working  
8 papers, notebooks, diaries, calendars, graphs, charts, screenplays, treatments,  
9 business records of all kinds, and similar writings, whether or not in YOUR  
10 possession or under YOUR control, no matter how prepared, or by whom, which  
11 relate to or pertain in any manner to the subject matter of the request, and all  
12 drafts or copies (including non-identical copies) prepared in connections with  
13 such documents, whether used or not.

14       6. "COMMUNICATION" or "COMMUNICATIONS" shall mean any  
15 transmission of information of any sort whatsoever by one or more PERSONS  
16 to one or more PERSONS and/or between one or more PERSONS, by any  
17 means whatsoever, including but not limited to telephone conversations, letters,  
18 documents, telegrams, teletypes, telecopies, written memoranda, e-mail  
19 messages and face-to-face conversations.

1       7. The words "or" and "including," and similar words of guidance, are  
2 merely such, and should not be construed as words of limitation; the word "or,"  
3 for example, shall include the word "and," as appropriate, and the word  
4 "including" shall not be used to limit any general category description that  
5 precedes it.

8       8. Pursuant to Rule 26(b)(5) of the Federal Rules of Civil Procedure, if  
9 YOU withhold information otherwise discoverable by claiming that it is  
10 privileged or subject to protection as trial preparation material, YOU shall make  
11 the claim expressly in a privilege log and shall describe the nature of the  
12 documents, communications, or things not produced or disclosed in a manner  
13 that, without revealing information itself privileged or protected, will enable  
14 other parties to assess the applicability of the privilege or protection. In the event  
15 that any information has been redacted from any document produced in response  
16 to these requests, YOU must identify that information and the basis or bases upon  
17 which such information was redacted in a privilege log to be produced  
18 concurrently with YOUR written response thereto.

24      9. Unless otherwise specified, the time period covered by these requests  
25 is January **1**, 2002 to the present.  
26

27      7. YOUR responses to these requests are to be supplemented in  
28

1 accordance with Rule 26(e) of the Federal Rules of Civil Procedure.  
2

3                   **REQUESTS FOR PRODUCTION OF DOCUMENTS**

4                   **REQUEST FOR PRODUCTION NUMBER ONE**

5                   Any and all DOCUMENTS which refer, reflect or relate to YOUR method  
6  
7 of determining convenience charges for tickets sold on ticketmaster.com.

8                   **REQUEST FOR PRODUCTION NUMBER TWO**

9  
10                  Any and all DOCUMENTS which refer, reflect or relate to all factors  
11 considered by YOU in determining convenience charges for tickets purchased on  
12 ticketmaster.com.  
13

14                  **REQUEST FOR PRODUCTION NUMBER THREE**

15  
16                  Any and all DOCUMENTS which refer, reflect or relate to the identity of all  
17 PERSONS involved in the decision making process of determining convenience  
18 charges for tickets purchased on ticketmaster.com.  
19

20                  **REQUEST FOR PRODUCTION NUMBER FOUR**

21  
22                  Any and all DOCUMENTS which refer, reflect or relate to whether internet  
23 security costs are factored into YOUR convenience charges.  
24

25                  **REQUEST FOR PRODUCTION NUMBER FIVE**

26  
27                  Any and all DOCUMENTS which refer, reflect or relate to whether the  
28 costs associated with paying YOUR information technology staff are factored into

1 YOUR convenience charges.

2 **REQUEST FOR PRODUCTION NUMBER SIX**

3 Any and all DOCUMENTS which refer, reflect or relate to any research  
4 which YOU conducted in determining convenience charges for tickets sold on  
5 ticketmaster.com.  
6  
7

8 **REQUEST FOR PRODUCTION NUMBER SEVEN**

9 Any and all DOCUMENTS which refer, reflect or relate to any interviews  
10 YOU gave to the media regarding the "Hannah Montana/Miley Cyrus Best of Both  
11 Worlds" tour in the year 2007.  
12  
13

14 **REQUEST FOR PRODUCTION NUMBER EIGHT**

15 Any and all DOCUMENTS which refer, reflect or relate to any  
16 communications that YOU have had with the Attorney General of Arkansas,  
17 Dustin McDaniel.  
18  
19

20 **REQUEST FOR PRODUCTION NUMBER NINE**

21 Any and all DOCUMENTS which refer, reflect or relate to any  
22 communications that YOU have had with the Attorney General of Missouri, Jay  
23 Nixon.  
24  
25

26 **REQUEST FOR PRODUCTION NUMBER TEN**

27 Any and all DOCUMENTS which refer, reflect or relate to the purpose of  
28

1 the CAPTCHA page on the ticketmaster.com website, including, but not limited to  
2 emails, internal memoranda, meeting notes, manuals, handbooks and training  
3 materials.  
4

5 **REQUEST FOR PRODUCTION NUMBER ELEVEN**  
6

7 Any and all DOCUMENTS which refer, reflect or relate to any copyrights  
8 which YOU own in the ticketmaster.com website.  
9

10 **REQUEST FOR PRODUCTION NUMBER TWELVE**  
11

12 Any and all DOCUMENTS which refer, reflect or relate to any claim that  
13 YOU have made for loss of goodwill from January 1, 2002 to present, including,  
14 but not limited to corporate tax returns, financial statements and profit and loss  
15 statements.  
16

17 **REQUEST FOR PRODUCTION NUMBER THIRTEEN**  
18

19 Any and all DOCUMENTS which refer, reflect or relate to any investigation  
20 that YOU have performed regarding the use of "spiders" on the ticketmaster.com  
21 website.  
22

23 **REQUEST FOR PRODUCTION NUMBER FOURTEEN**  
24

25 Any and all DOCUMENTS which refer, reflect or relate to any investigation  
26 that YOU have performed regarding the use of "robots" on the ticketmaster.com  
27 website.  
28

**REQUEST FOR PRODUCTION NUMBER FIFTEEN**

Any and all DOCUMENTS which refer, reflect or relate to any investigation that YOU have performed regarding the use of "bots" on the ticketmaster.com website.

**REQUEST FOR PRODUCTION NUMBER SIXTEEN**

Any and all DOCUMENTS which refer, reflect or relate to any investigation that YOU have performed regarding the use of "automatic devices" on the ticketmaster.com website.

**REQUEST FOR PRODUCTION NUMBER SEVENTEEN**

Any and all DOCUMENTS which refer, reflect or relate to any investigation that YOU have performed regarding the use of "automated processes" on the ticketmaster.com website.

**REQUEST FOR PRODUCTION NUMBER EIGHTEEN**

Any and all DOCUMENTS which refer, reflect or relate to any investigation that YOU have performed with respect to RMG Technologies, Inc., a Delaware corporation.

**REQUEST FOR PRODUCTION NUMBER NINETEEN**

Any and all DOCUMENTS which refer, reflect or relate to RMG Technologies, Inc., a Delaware corporation.

1           **REQUEST FOR PRODUCTION NUMBER TWENTY**

2  
3           Any and all DOCUMENTS which refer, reflect or relate to any  
4           communications between YOU and Chris Kovach.

5           **REQUEST FOR PRODUCTION NUMBER TWENTY-ONE**

6  
7           Any and all DOCUMENTS which refer, reflect or relate to the settlement  
8           agreement between YOU and Chris Kovach, as referenced in YOUR motion for  
9           preliminary injunction in this matter.

10           **REQUEST FOR PRODUCTION TWENTY-TWO**

11  
12           Any and all DOCUMENTS which refer, reflect or relate to any purchase of  
13           tickets that Chris Kovach or anyone on his behalf made on ticketmaster.com prior  
14           to May of 2007.

15           **REQUEST FOR PRODUCTION NUMBER TWENTY-THREE**

16  
17           Any and all DOCUMENTS which refer, reflect or relate to any purchase of  
18           tickets that Chris Kovach or anyone on his behalf made on ticketmaster.com  
19           subsequent to May of 2007.

20           **REQUEST FOR PRODUCTION NUMBER TWENTY-FOUR**

21  
22           Any and all DOCUMENTS which refer, reflect or relate to the first time  
23           YOU learned that RMG's devices were allegedly being used on ticketmaster.com.

24           //  
25  
26  
27  
28

1           **REQUEST FOR PRODUCTION NUMBER TWENTY-FIVE**

2           Any and all DOCUMENTS which refer, reflect or relate to any  
3  
4 technological measure that YOU have taken to stop the use of "spiders" on the  
5 ticketmaster.com website.  
6

7           **REQUEST FOR PRODUCTION NUMBER TWENTY-SIX**

8           Any and all DOCUMENTS which refer, reflect or relate to any  
9  
10 technological measure that YOU have taken to stop the use of "robots" on the  
11 ticketmaster.com website.  
12

13           **REQUEST FOR PRODUCTION NUMBER TWENTY-SEVEN**

14           Any and all DOCUMENTS which refer, reflect or relate to any  
15  
16 technological measure that YOU have taken to stop the use of "bots" on the  
17 ticketmaster.com website.  
18

19           **REQUEST FOR PRODUCTION NUMBER TWENTY-EIGHT**

20           Any and all DOCUMENTS which refer, reflect or relate to any  
21  
22 technological measure that YOU have taken to stop the use of "automatic devices"  
23 on the ticketmaster.com website.  
24

25           **REQUEST FOR PRODUCTION NUMBER TWENTY-NINE**

26           Any and all DOCUMENTS which refer, reflect or relate to any  
27  
28 technological measure that YOU have taken to stop the use of "automated"

1 processes" on the ticketmaster.com website.

2 **REQUEST FOR PRODUCTION NUMBER THIRTY**

3  
4 Any and all DOCUMENTS which refer, reflect or relate to any measures  
5 YOU took to calculate the actual damages that YOU would incur in the event that  
6 a user of ticketmaster.com accessed more than 1,000 pages of the ticketmaster.com  
7 website in any twenty four (24) hour period.  
8

9  
10 **REQUEST FOR PRODUCTION NUMBER THIRTY-ONE**

11 Any and all DOCUMENTS which refer, reflect or relate to the identity of  
12 any PERSON who performed any calculation on YOUR behalf as to the actual  
13 damages that YOU would incur in the event that a user of ticketmaster.com  
14 accessed more than 1,000 pages of the ticketmaster.com website in any twenty  
15 four (24) hour period.  
16

17  
18 **REQUEST FOR PRODUCTION NUMBER THIRTY-TWO**

19 Any and all DOCUMENTS which refer, reflect or relate to any monies that  
20 YOU have spent on technological measures that YOU have taken to stop the use  
21 of spiders, robots, bots, automatic devices or automated processes on the  
22 ticketmaster.com website.  
23

24  
25 **REQUEST FOR PRODUCTION NUMBER THIRTY-THREE**

26 Any and all DOCUMENTS which refer, reflect or relate to any PERSON  
27

1 who YOU have employed, either as an employee or an independent contractor, in  
2 an attempt to stop the use of spiders, robots, bots, automated devices or automated  
3 processes on the ticketmaster.com website.  
4

5 **REQUEST FOR PRODUCTION NUMBER THIRTY-FOUR**  
6

7 Any and all DOCUMENTS which refer, reflect or relate to any money that  
8 you have paid to any PERSON who YOU have employed, either as an employee  
9 or an independent contractor, in an attempt to stop the use of spiders, robots, bots,  
10 automated devices or automated processes on the ticketmaster.com website.  
11

12 **REQUEST FOR PRODUCTION NUMBER THIRTY-FIVE**  
13

14 Any and all DOCUMENTS which refer, reflect or relate to any complaints  
15 that any of YOUR CLIENTS have made to YOU regarding the use of spiders,  
16 robots, bots, automated devices or automated processes on the ticketmaster.com  
17 website.  
18

19 **REQUEST FOR PRODUCTION NUMBER THIRTY-SIX**  
20

21 Any and all DOCUMENTS which refer, reflect or relate to any complaints  
22 that any of YOUR CLIENTS have made to YOU regarding YOUR inability to  
23 distribute tickets in a fair and equitable manner.  
24

25 **REQUEST FOR PRODUCTION NUMBER THIRTY-SEVEN**  
26

27 Any and all DOCUMENTS which refer, reflect or relate to any complaints  
28

1 that any of YOUR CUSTOMERS have made to YOU regarding YOUR inability  
2 to distribute tickets in a fair and equitable manner.  
3

4 **REQUEST FOR PRODUCTION NUMBER THIRTY-EIGHT**

5 Any and all DOCUMENTS which refer, reflect or relate to the number of  
6 tickets available for retail sale for each concert on the "Hannah Montana & Miley  
7 Cyrus: Best of Both Worlds Tour" from January 1, 2007 through February 2008.  
8

9 **REQUEST FOR PRODUCTION NUMBER THIRTY-NINE**

10 Any and all DOCUMENTS which refer, reflect or relate to the number of  
11 tickets available for retail sale to fan club members for each concert on the  
12 "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" from January 1,  
13 2007 through February 2008.

14 **REQUEST FOR PRODUCTION NUMBER FORTY**

15 Any and all DOCUMENTS which refer, reflect or relate to the number of  
16 tickets available for retail sale to the general public for each concert on the  
17 "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" from January 1,  
18 2007 through February 2008.

19 **REQUEST FOR PRODUCTION NUMBER FORTY-ONE**

20 Any and all DOCUMENTS which refer, reflect or relate to the number of  
21 tickets retained by Miley Cyrus for each concert on the "Hannah Montana &  
22

1 Miley Cyrus: Best of Both Worlds Tour" from January 1, 2007 through February  
2 2008.  
3

4 **REQUEST FOR PRODUCTION NUMBER FORTY-TWO**

5 Any and all DOCUMENTS which refer, reflect or relate to the number of  
6 tickets retained by the promoters of the "Hannah Montana & Miley Cyrus: Best of  
7 Both Worlds Tour" for all concerts of the tour from January 1, 2007 through  
8 February 2008.

9  
10 **REQUEST FOR PRODUCTION NUMBER FORTY-THREE**

11 Any and all DOCUMENTS which refer, reflect or relate to the number of  
12 tickets retained by the venues where the "Hannah Montana & Miley Cyrus: Best  
13 of Both Worlds Tour" occurred for all concerts of the tour from January 1, 2007  
14 through February 2008.

15  
16 **REQUEST FOR PRODUCTION NUMBER FORTY-FOUR**

17 Any and all DOCUMENTS which refer, reflect or relate to all tickets to the  
18 "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" which YOU sold  
19 on the auction portion of the ticketmaster.com website from January 1, 2007 to  
20 present.

21  
22 **REQUEST FOR PRODUCTION NUMBER FORTY-FIVE**

23 Any and all DOCUMENTS which refer, reflect or relate to the price of each

1 ticket to the "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" which  
2 YOU sold on the auction portion of the ticketmaster.com website from January 1,  
3 2007 to present.

4

5 **REQUEST FOR PRODUCTION NUMBER FORTY-SIX**

6

7 Any and all DOCUMENTS which refer, reflect or relate to all tickets to the  
8 "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" which were sold on  
9 TicketExchange portion of the ticketmaster.com website from January 1, 2007 to  
10 present.

11

12 **REQUEST FOR PRODUCTION NUMBER FORTY-SEVEN**

13

14 Any and all DOCUMENTS which refer, reflect or relate to all convenience  
15 charges YOU were paid as a result of sales on the TicketExchange portion of the  
16 ticketmaster.com website for the "Hannah Montana & Miley Cyrus: Best of Both  
17 Worlds Tour" from January 1, 2007 to present.

18

19 **REQUEST FOR PRODUCTION NUMBER FORTY-EIGHT**

20 Any and all DOCUMENTS which refer, reflect or relate to any agreements  
21 you had with any PERSON to sell tickets to the "Hannah Montana & Miley Cyrus:  
22 Best of Both Worlds Tour."

23

24 **REQUEST FOR PRODUCTION NUMBER FORTY-NINE**

25 Any and all DOCUMENTS which refer, reflect or relate to any tickets

1 purchased by or on behalf of Thomas J. Prior on the ticketmaster.com website  
2 from February 1, 2007 to present.  
3

4 **REQUEST FOR PRODUCTION NUMBER FIFTY**

5 Any and all DOCUMENTS which refer, reflect or relate to any tickets  
6 purchased by or on behalf of Gary Charles Bonner on the ticketmaster.com  
7 website from February 1, 2007 to present.  
8

9 **REQUEST FOR PRODUCTION NUMBER FIFTY-ONE**

10 Any and all DOCUMENTS which refer, reflect or relate to any tickets  
11 purchased by or on behalf of Designer Tickets on the ticketmaster.com website  
12 from February 1, 2007 to present.  
13

14 **REQUEST FOR PRODUCTION NUMBER FIFTY-TWO**

15 Any and all DOCUMENTS which refer, reflect or relate to any  
16 communications that YOU have had with Barry's Tickets, located in Los Angeles,  
17 California, regarding the possible sale of the Barry's Tickets business to YOU.  
18

19 **REQUEST FOR PRODUCTION NUMBER FIFTY-THREE**

20 Any and all DOCUMENTS which refer, reflect or relate to any  
21 communications that YOU have had with Sea Coast Ticket Agency, Inc. located in  
22 Portsmouth, New Hampshire, regarding the possible sale of the Sea Coast Ticket  
23 Agency business to YOU.  
24

1           **REQUEST FOR PRODUCTION NUMBER FIFTY-FOUR**

2           Any and all DOCUMENTS which refer, reflect or relate to any  
3           communications that YOU have had with Total Travel and Tickets in Florida  
4           regarding the possible sale of the Total Travel and Tickets business to YOU.  
5

6           **REQUEST FOR PRODUCTION NUMBER FIFTY-FIVE**

7           Any and all DOCUMENTS which refer, reflect or relate to any  
8           communications that YOU have had with Admit One, located in New York, new  
9           York regarding the possible sale of the Admit One business to YOU.  
10

11           **REQUEST FOR PRODUCTION NUMBER FIFTY-SIX**

12           Any and all DOCUMENTS which refer, reflect or relate to any  
13           communications that YOU have had with As Off Music regarding the possible  
14           sale of the As Off Music business to YOU.  
15

16           **REQUEST FOR PRODUCTION NUMBER FIFTY-SEVEN**

17           Any and all DOCUMENTS which refer, reflect or relate to any tickets that  
18           YOU have sold to Barry's Tickets in Los Angeles, California from January 1,  
19           2007 to present.  
20

21           **REQUEST FOR PRODUCTION NUMBER FIFTY-EIGHT**

22           Any and all DOCUMENTS which refer, reflect or relate to any  
23           complementary tickets that YOU have given to Barry's Tickets in Los Angeles,  
24

1 California from January 1, 2007 to present.  
2

3 **REQUEST FOR PRODUCTION NUMBER NINE**

4 Any and all DOCUMENTS which refer, reflect or relate to any tickets that  
5 YOU have sold to Sea Coast Ticket Agency, located in Portsmouth, New  
6 Hampshire from January 1, 2007 to present.  
7

8 **REQUEST FOR PRODUCTION NUMBER SIXTY**  
9

10 Any and all DOCUMENTS which refer, reflect or relate to any  
11 complementary tickets that YOU have given to Sea Coast Ticket Agency, located  
12 in Portsmouth, New Hampshire from January 1, 2007 to present.  
13

14 **REQUEST FOR PRODUCTION NUMBER SIXTY-ONE**  
15

16 Any and all DOCUMENTS which refer, reflect or relate to any tickets that  
17 YOU have sold to Total Travel and Tickets, located in Florida, from January 1,  
18 2007 to present.  
19

20 **REQUEST FOR PRODUCTION NUMBER SIXTY-TWO**  
21

22 Any and all DOCUMENTS which refer, reflect or relate to any  
23 complementary tickets that YOU have given to Total Travel and Tickets, located  
24 in Florida from January 1, 2007 to present.  
25

26 **REQUEST FOR PRODUCTION NUMBER SIXTY-THREE**  
27

28 Any and all DOCUMENTS which refer, reflect or relate to any tickets that

1 YOU have sold to Admit One, located in New York, from January 1, 2007 to  
2 present.  
3

4 **REQUEST FOR PRODUCTION NUMBER SIXTY-FOUR**

5 Any and all DOCUMENTS which refer, reflect or relate to any  
6 complementary tickets that YOU have given to Admit One, located in New York,  
7 from January 1, 2007 to present.  
8  
9

10 **REQUEST FOR PRODUCTION NUMBER SIXTY-FIVE**

11 Any and all DOCUMENTS which refer, reflect or relate to any tickets that  
12 YOU have sold to As Off Music from January 1, 2007 to present.  
13

14 **REQUEST FOR PRODUCTION NUMBER SIXTY-SIX**

15 Any and all DOCUMENTS which refer, reflect or relate to any  
16 complementary tickets that YOU have given to As Off Music from January 1,  
17 2007 to present.  
18  
19

20 Dated: December 7, 2007

COGGAN & TARLOW

  
21 By: David N. Tarlow  
22  
23 Attorneys for RMG Technologies, Inc.  
24  
25  
26  
27  
28



DNT

---

**From:** DNT  
**Sent:** Monday, January 07, 2008 3:22 PM  
**To:** 'White, Alison Sultan'  
**Subject:** Ticketmaster v. RMG

**Attachments:** doc-20080107152741.pdf



doc-200801071527  
41.pdf (3 MB)  
Alison-

Here is the first batch of docs. More to come. Supplemental response to request for docs in process of being prepared.

David Tarlow



1 MANATT, PHELPS & PHILLIPS, LLP  
 2 ROBERT H. PLATT (Bar No. CA 108533)  
 rplatt@manatt.com  
 3 MARK S. LEE (Bar No. CA 094103)  
 mlee@manatt.com  
 4 DONALD R. BROWN (Bar No. CA 156548)  
 dbrown@manatt.com  
 5 11355 West Olympic Boulevard  
 Los Angeles, CA 90064-1614  
 Telephone: (310) 312-4000  
 6 Facsimile: (310) 312-4224

7 Attorneys for *Plaintiff*  
 TICKETMASTER L.L.C.

9  
 10 UNITED STATES DISTRICT COURT  
 11  
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 TICKETMASTER L.L.C., a Virginia  
 limited liability company,

14 Plaintiff,

15 vs.

16 RMG TECHNOLOGIES, INC., a  
 Delaware corporation, and DOES 1  
 through 10, inclusive,

17 Defendants.

18 No. CV 07-2534 ABC (JWJx)

19  
**PLAINTIFF TICKETMASTER  
 L.L.C.'S RESPONSES TO RMG  
 TECHNOLOGIES, INC.'S  
 REQUESTS FOR PRODUCTION  
 OF DOCUMENTS (SET ONE)**

20 PROPOUNDING PARTY: RMG TECHNOLOGIES, INC., a Delaware  
 corporation

21 RESPONDING PARTY: TICKETMASTER L.L.C., a Virginia limited  
 liability company

22 SET NO.: ONE (1)

23  
**GENERAL OBJECTIONS AND STATEMENT**

24  
 25 Ticketmaster L.L.C. ("Plaintiff" or "Ticketmaster") makes the  
 following objections to the entire First Set of Requests For Production of  
 26 Documents propounded by Defendant RMG Technologies, Inc.'s ("Defendant"):

1        1. This Response is subject to all objections ordinarily available if  
 2 such statements or documents were offered in court. All such objections are hereby  
 3 expressly reserved and may be interposed at the time of trial or at any other time.  
 4 By providing this Response, Ticketmaster is not making any incidental or implied  
 5 admissions regarding the content of any document requested. No response or  
 6 objection to any Request herein should be taken as an admission that Ticketmaster  
 7 admits the existence of any fact set forth in or assumed by the Request, or that such  
 8 response or objection constitutes admissible evidence. No response to any Request  
 9 is intended to be, nor shall any response be construed as, a waiver by Ticketmaster  
 10 of all or any part of any objection to any request.

11        2. Ticketmaster's research, discovery, and preparation for trial in  
 12 this matter is ongoing and is not yet complete. This Response is based upon the  
 13 current state of Ticketmaster's pre-trial preparation and the investigation that it has  
 14 conducted to date. Ticketmaster anticipates that its continuing discovery and  
 15 investigation may reveal information and documents not presently known to it,  
 16 upon which Ticketmaster may rely during trial. Accordingly, this Response is  
 17 made without prejudice to Ticketmaster's rights to produce documents at a later  
 18 date and to introduce them at the time of trial.

19        3. Ticketmaster objects to the "Definitions" and "Instructions" in  
 20 the Requests to the extent that they are inconsistent with and/or seek to impose  
 21 obligations beyond those imposed by the Federal Rules of Civil Procedure.

22        4. Ticketmaster objects to the "Definitions" and "Instructions" in  
 23 the Requests to the extent that they are vague, ambiguous, and unintelligible.

24        5. Ticketmaster objects to each Request to the extent it seeks  
 25 documents or information protected from discovery by the attorney-client privilege  
 26 or the attorney work product doctrine.

27        6. Ticketmaster objects to each Request to the extent it seeks to  
 28 discover trade secrets and/or any other private, sensitive, confidential, proprietary,

1 and/or commercial information, the disclosure of which could be damaging to the  
 2 business or property of Ticketmaster, Ticketmaster' customers or contractors, or  
 3 other related business entities.

4       7. Ticketmaster objects to each Request to the extent that it  
 5 violates the right of privacy of Plaintiff or any third party under the United States  
 6 Constitution, the California Constitution, and applicable statutes.

7       8. Ticketmaster objects to each Request to the extent it seeks the  
 8 disclosure or production of personal records regarding consumers without proper  
 9 notification to the consumer.

10      9. Ticketmaster objects to all the Requests to the extent that they  
 11 are vague, ambiguous, and unintelligible in that the manner in which specific  
 12 requests are phrased creates confusion given the issues involved in the litigation.

13      10. Ticketmaster objects to all the Requests to the extent they are  
 14 unduly burdensome and/or oppressive.

15      11. Ticketmaster objects to all the Requests to the extent they are  
 16 overbroad as to time or scope.

17           Each of the general responses and objections asserted above (the  
 18 "General Responses and Objections") applies to each Request where appropriate  
 19 and are incorporated into each of Ticketmaster's responses below as though set  
 20 forth in full.

21

22       **RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS**  
 23       **REQUEST FOR PRODUCTION NO. 1:**

24       Any and all DOCUMENTS which refer, reflect or relate to YOUR method of  
 25 determining convenience charges for tickets sold on ticketmaster.com.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 7 ambiguous, including but not limited to the term "method". Plaintiff further objects  
 8 to this request to the extent it lacks foundation. Plaintiff further objects to this  
 9 request on the ground that it is compound, overbroad, unduly burdensome and  
 10 oppressive. Plaintiff further objects to this request on the ground that it seeks the  
 11 production of documents containing confidential, sensitive, proprietary,  
 12 commercial, business and financial information. Plaintiff further objects to this  
 13 request to the extent that it seeks documents protected by attorney-client privilege  
 14 or the work-product doctrine.

15

16           **REQUEST FOR PRODUCTION NO. 2:**

17           Any and all DOCUMENTS which refer, reflect or relate to all factors  
 18 considered by YOU in determining convenience charges for tickets purchased on  
 19 ticketmaster.com.

20           **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

21           Plaintiff incorporates by reference each and every one of the General  
 22 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 23 to this request because it seeks information neither relevant to the subject matter of  
 24 this litigation nor reasonably calculated to lead to the discovery of admissible  
 25 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 26 ambiguous, including but not limited to the term "considered". Plaintiff further  
 27 objects to this request to the extent it lacks foundation. Plaintiff further objects to  
 28 this request on the ground that it is compound, overbroad, unduly burdensome and

1 oppressive. Plaintiff further objects to this request on the ground that it seeks the  
 2 production of documents containing confidential, sensitive, proprietary,  
 3 commercial, business and financial information. Plaintiff further objects to this  
 4 request to the extent that it seeks documents protected by attorney-client privilege  
 5 or the work-product doctrine.

6

7 **REQUEST FOR PRODUCTION NO. 3:**

8 Any and all DOCUMENTS which refer, reflect or relate to the identity of all  
 9 PERSONS involved in the decision making process of determining convenience  
 10 charges for tickets purchased on ticketmaster.com.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

12 Plaintiff incorporates by reference each and every one of the General  
 13 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 14 to this request because it seeks information neither relevant to the subject matter of  
 15 this litigation nor reasonably calculated to lead to the discovery of admissible  
 16 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 17 ambiguous, including but not limited to the phrase "decision making process".  
 18 Plaintiff further objects to this request to the extent it lacks foundation. Plaintiff  
 19 further objects to this request on the ground that it is compound, overbroad, unduly  
 20 burdensome and oppressive. Plaintiff further objects to this request on the ground  
 21 that it seeks the production of documents containing confidential, sensitive,  
 22 proprietary, commercial, business and financial information. Plaintiff further  
 23 objects to this request to the extent that it seeks documents protected by attorney-  
 24 client privilege or the work-product doctrine.

25

26 **REQUEST FOR PRODUCTION NO. 4:**

27 Any and all DOCUMENTS which refer, reflect or relate to whether internet  
 28 security costs are factored into YOUR convenience charges.

1     **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

2                 Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 7 ambiguous, including but not limited to the phrases "internet security costs" and  
 8 "factored". Plaintiff further objects to this request to the extent it lacks foundation.  
 9 Plaintiff further objects to this request on the ground that it is compound,  
 10 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 11 request on the ground that it seeks the production of documents containing  
 12 confidential, sensitive, proprietary, commercial, business and financial information.  
 13 Plaintiff further objects to this request to the extent that it seeks documents  
 14 protected by attorney-client privilege or the work-product doctrine.

15                 Subject to and without waiving the foregoing objections, Plaintiff responds  
 16 as follows: Convenience charges are based, among other things, on Plaintiff's cost  
 17 of doing business, which is in turn affected by the cost of, among other things,  
 18 Plaintiff's attempt to maintain a secure website. Plaintiff has conducted a diligent  
 19 search and reasonable inquiry during its effort to comply with this Request and has  
 20 no documents currently within its possession, custody or control that identify the  
 21 cost of attempting to maintain a secure website as a specific factor in determining  
 22 convenience charges.

23

24     **REQUEST FOR PRODUCTION NO. 5:**

25                 Any and all DOCUMENTS which refer, reflect or relate to whether the costs  
 26 associated with paying YOUR information technology staff are factored into  
 27 YOUR convenience charges.

28

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 7 ambiguous, including but not limited to the term "factored". Plaintiff further  
 8 objects to this request to the extent it lacks foundation. Plaintiff further objects to  
 9 this request on the ground that it is compound, overbroad, unduly burdensome and  
 10 oppressive. Plaintiff further objects to this request on the ground that it seeks the  
 11 production of documents containing confidential, sensitive, proprietary,  
 12 commercial, business and financial information. Plaintiff further objects to this  
 13 request to the extent that it seeks documents protected by attorney-client privilege  
 14 or the work-product doctrine.

15           Subject to and without waiving the foregoing objections, Plaintiff responds  
 16 as follows: Convenience charges are based, among other things, on Plaintiff's cost  
 17 of doing business, which is in turn affected by the cost of, among other things,  
 18 paying Plaintiff's information technology staff. Plaintiff has conducted a diligent  
 19 search and reasonable inquiry during its effort to comply with this Request and has  
 20 no documents currently within its possession, custody or control that identify the  
 21 cost of paying its information technology staff as a specific factor in determining  
 22 convenience charges.

23

24           **REQUEST FOR PRODUCTION NO. 6:**

25           Any and all DOCUMENTS which refer, reflect or relate to any research  
 26 which YOU conducted in determining convenience charges for tickets sold on  
 27 ticketmaster.com.

28

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 7 ambiguous, including but not limited to the term "research". Plaintiff further objects  
 8 to this request to the extent it lacks foundation. Plaintiff further objects to  
 9 this request on the ground that it is compound, overbroad, unduly burdensome and  
 10 oppressive. Plaintiff further objects to this request on the ground that it seeks the  
 11 production of documents containing confidential, sensitive, proprietary,  
 12 commercial, business and financial information. Plaintiff further objects to this  
 13 request to the extent that it seeks documents protected by attorney-client privilege  
 14 or the work-product doctrine.

15

16           **REQUEST FOR PRODUCTION NO. 7:**

17           Any and all DOCUMENTS which refer, reflect or relate to any interviews  
 18 YOU gave to the media regarding the "Hannah Montana/Miley Cyrus Best of Both  
 19 Worlds" tour in the year 2007.

20           **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

21           Plaintiff incorporates by reference each and every one of the General  
 22 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 23 to this request because it seeks information neither relevant to the subject matter of  
 24 this litigation nor reasonably calculated to lead to the discovery of admissible  
 25 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 26 ambiguous, including but not limited to the term "research". Plaintiff further  
 27 objects to this request on the ground that it is overbroad, unduly burdensome and

1 oppressive. Plaintiff further objects to this request to the extent that it seeks  
 2 documents protected by attorney-client privilege or the work-product doctrine.

3 Subject to and without waiving the foregoing objections, Plaintiff responds  
 4 as follows: Plaintiff will make all relevant, unprivileged responsive documents  
 5 available for inspection.

6

7 **REQUEST FOR PRODUCTION NO. 8:**

8 Any and all DOCUMENTS which refer, reflect or relate to any  
 9 communications that YOU have had with the Attorney General of Arkansas, Dustin  
 10 McDaniel.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

12 Plaintiff incorporates by reference each and every one of the General  
 13 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 14 to this request because it seeks information neither relevant to the subject matter of  
 15 this litigation nor reasonably calculated to lead to the discovery of admissible  
 16 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 17 unduly burdensome and oppressive. Plaintiff further objects to this request to the  
 18 extent that it seeks documents protected by attorney-client privilege or the work-  
 19 product doctrine.

20 Subject to and without waiving the foregoing objections, Plaintiff responds  
 21 as follows: Plaintiff will make all relevant, unprivileged responsive documents  
 22 available for inspection.

23

24 **REQUEST FOR PRODUCTION NO. 9:**

25 Any and all DOCUMENTS which refer, reflect or relate to any  
 26 communications that YOU have had with the Attorney General of Missouri, Jay  
 27 Nixon.

28

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 7 unduly burdensome and oppressive. Plaintiff further objects to this request to the  
 8 extent that it seeks documents protected by attorney-client privilege or the work-  
 9 product doctrine.

10           Subject to and without waiving the foregoing objections, Plaintiff responds  
 11 as follows: Plaintiff will make all relevant, unprivileged responsive documents  
 12 available for inspection.

13

14           **REQUEST FOR PRODUCTION NO. 10:**

15           Any and all DOCUMENTS which refer, reflect or relate to the purpose of the  
 16 CAPTCHA page on the ticketmaster.com website, including, but not limited to  
 17 emails, internal memoranda, meeting notes, manuals, handbooks and training  
 18 materials.

19           **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

20           Plaintiff incorporates by reference each and every one of the General  
 21 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 22 to this request on the ground that it is overbroad, unduly burdensome and  
 23 oppressive. Plaintiff further objects to this request on the ground that it seeks the  
 24 production of documents containing confidential, sensitive, proprietary,  
 25 commercial, business and financial information. Plaintiff further objects to this  
 26 request to the extent that it seeks documents protected by attorney-client privilege  
 27 or the work-product doctrine.

28

1           Subject to and without waiving the foregoing objections, Plaintiff responds  
 2 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 3 available for inspection under mutually agreeable terms, following entry of a  
 4 mutually agreeable protective order.

5

6 **REQUEST FOR PRODUCTION NO. 11:**

7           Any and all DOCUMENTS which refer, reflect or relate to any copyrights  
 8 which YOU own in the ticketmaster.com website.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

10          Plaintiff incorporates by reference each and every one of the General  
 11 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 12 to this request to the extent it seeks information neither relevant to the subject  
 13 matter of this litigation nor reasonably calculated to lead to the discovery of  
 14 admissible evidence. Plaintiff further objects to this request on the ground that it is  
 15 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 16 request on the ground that it seeks the production of documents containing  
 17 confidential, sensitive, proprietary, commercial, business and financial information.  
 18 Plaintiff further objects to this request to the extent that it seeks documents  
 19 protected by attorney-client privilege or the work-product doctrine.

20          Subject to and without waiving the foregoing objections, Plaintiff responds  
 21 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 22 pertaining to the copyrights alleged in the operative complaint available for  
 23 inspection under mutually agreeable terms, following entry of a mutually agreeable  
 24 protective order.

25

26 **REQUEST FOR PRODUCTION NO. 12:**

27          Any and all DOCUMENTS which refer, reflect or relate to any claim that  
 28 YOU have made for loss of goodwill from January 1, 2002 to present, including,

1 but not limited to corporate tax returns, financial statements and profit and loss  
 2 statements.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

4 Plaintiff incorporates by reference each and every one of the General  
 5 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 6 to this request because it is vague, ambiguous and unintelligible, including but not  
 7 limited to the phrase "any claim that YOU have made for loss of goodwill." Plaintiff  
 8 further objects to this request to the extent it seeks information neither  
 9 relevant to the subject matter of this litigation nor reasonably calculated to lead to  
 10 the discovery of admissible evidence. Plaintiff further objects to this request on the  
 11 ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further  
 12 objects to this request on the ground that it seeks the production of documents  
 13 containing confidential, sensitive, proprietary, commercial, business and financial  
 14 information. Plaintiff further objects to this request to the extent that it seeks  
 15 documents protected by attorney-client privilege or the work-product doctrine.  
 16

17 **REQUEST FOR PRODUCTION NO. 13:**

18 Any and all DOCUMENTS which refer, reflect or relate to any investigation  
 19 that YOU have performed regarding the use of "spiders" on the ticketmaster.com  
 20 website.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

22 Plaintiff incorporates by reference each and every one of the General  
 23 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 24 to this request because it seeks information neither relevant to the subject matter of  
 25 this litigation nor reasonably calculated to lead to the discovery of admissible  
 26 evidence. Plaintiff further objects to this request because it is vague and  
 27 ambiguous. Plaintiff further objects to this request on the ground that it is  
 28 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this

1 request on the ground that it seeks the production of documents containing  
 2 confidential, sensitive, proprietary, commercial, business and financial information.  
 3 Plaintiff further objects to this request to the extent that it seeks documents  
 4 protected by attorney-client privilege or the work-product doctrine.

5 Subject to and without waiving the foregoing objections, Plaintiff responds  
 6 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 7 available for inspection under mutually agreeable terms, following entry of a  
 8 mutually agreeable protective order.

9

10 **REQUEST FOR PRODUCTION NO. 14:**

11 Any and all DOCUMENTS which refer, reflect or relate to any investigation  
 12 that YOU have performed regarding the use of "robots" on the ticketmaster.com  
 13 website.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

15 Plaintiff incorporates by reference each and every one of the General  
 16 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 17 to this request because it seeks information neither relevant to the subject matter of  
 18 this litigation nor reasonably calculated to lead to the discovery of admissible  
 19 evidence. Plaintiff further objects to this request because it is vague and  
 20 ambiguous. Plaintiff further objects to this request on the ground that it is  
 21 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 22 request on the ground that it seeks the production of documents containing  
 23 confidential, sensitive, proprietary, commercial, business and financial information.  
 24 Plaintiff further objects to this request to the extent that it seeks documents  
 25 protected by attorney-client privilege or the work-product doctrine.

26 Subject to and without waiving the foregoing objections, Plaintiff responds  
 27 as follows: Plaintiff will make all relevant, non-privileged responsive documents

28

1 available for inspection under mutually agreeable terms, following entry of a  
 2 mutually agreeable protective order.

3

4 **REQUEST FOR PRODUCTION NO. 15:**

5 Any and all DOCUMENTS which refer, reflect or relate to any investigation  
 6 that YOU have performed regarding the use of "bots" on the ticketmaster.com web  
 7 site.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

9 Plaintiff incorporates by reference each and every one of the General  
 10 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 11 to this request because it seeks information neither relevant to the subject matter of  
 12 this litigation nor reasonably calculated to lead to the discovery of admissible  
 13 evidence. Plaintiff further objects to this request because it is vague and  
 14 ambiguous. Plaintiff further objects to this request on the ground that it is overbroad,  
 15 unduly burdensome and oppressive. Plaintiff further objects to this request on the ground  
 16 that it seeks the production of documents containing confidential, sensitive, proprietary,  
 17 commercial, business and financial information. Plaintiff further objects to this request to the extent that it seeks documents  
 18 protected by attorney-client privilege or the work-product doctrine.

20 Subject to and without waiving the foregoing objections, Plaintiff responds  
 21 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 22 available for inspection under mutually agreeable terms, following entry of a  
 23 mutually agreeable protective order.

24

25 **REQUEST FOR PRODUCTION NO. 16:**

26 Any and all DOCUMENTS which refer, reflect or relate to any investigation  
 27 that YOU have performed regarding the use of "automatic devices" on the  
 28 ticketmaster.com website.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request because it is vague and  
 7 ambiguous. Plaintiff further objects to this request on the ground that it is  
 8 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 9 request on the ground that it seeks the production of documents containing  
 10 confidential, sensitive, proprietary, commercial, business and financial information.  
 11 Plaintiff further objects to this request to the extent that it seeks documents  
 12 protected by attorney-client privilege or the work-product doctrine.

13           Subject to and without waiving the foregoing objections, Plaintiff responds  
 14 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 15 available for inspection under mutually agreeable terms, following entry of a  
 16 mutually agreeable protective order.

17

18           **REQUEST FOR PRODUCTION NO. 17:**

19           Any and all DOCUMENTS which refer, reflect or relate to any investigation  
 20 that YOU have performed regarding the use of "automated processes" on the  
 21 ticketmaster.com website.

22           **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

23           Plaintiff incorporates by reference each and every one of the General  
 24 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 25 to this request because it seeks information neither relevant to the subject matter of  
 26 this litigation nor reasonably calculated to lead to the discovery of admissible  
 27 evidence. Plaintiff further objects to this request because it is vague and  
 28 ambiguous. Plaintiff further objects to this request on the ground that it is

1 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 2 request on the ground that it seeks the production of documents containing  
 3 confidential, sensitive, proprietary, commercial, business and financial information.  
 4 Plaintiff further objects to this request to the extent that it seeks documents  
 5 protected by attorney-client privilege or the work-product doctrine.

6 Subject to and without waiving the foregoing objections, Plaintiff responds  
 7 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 8 available for inspection under mutually agreeable terms, following entry of a  
 9 mutually agreeable protective order.

10

**REQUEST FOR PRODUCTION NO. 18:**

11 Any and all DOCUMENTS which refer, reflect or relate to any investigation  
 12 that YOU have performed with respect to RMG Technologies, Inc., a Delaware  
 13 corporation.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

14 Plaintiff incorporates by reference each and every one of the General  
 15 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 16 to this request to the extent it seeks information neither relevant to the subject  
 17 matter of this litigation nor reasonably calculated to lead to the discovery of  
 18 admissible evidence. Plaintiff further objects to this request on the ground that it is  
 19 vague and ambiguous. Plaintiff further objects to this request on the ground that it  
 20 is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 21 request on the ground that it seeks the production of documents containing  
 22 confidential, sensitive, proprietary, commercial, business and financial information.  
 23 Plaintiff further objects to this request to the extent that it seeks documents  
 24 protected by attorney-client privilege or the work-product doctrine.

25 Subject to and without waiving the foregoing objections, Plaintiff responds  
 26 as follows: Plaintiff will make all relevant, non-privileged responsive documents

1 available for inspection under mutually agreeable terms, following entry of a  
 2 mutually agreeable protective order.

3

4 **REQUEST FOR PRODUCTION NO. 19:**

5 Any and all DOCUMENTS which refer, reflect or relate to RMG  
 6 Technologies, Inc., a Delaware corporation.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

8 Plaintiff incorporates by reference each and every one of the General  
 9 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 10 to this request to the extent that it seeks information neither relevant to the subject  
 11 matter of this litigation nor reasonably calculated to lead to the discovery of  
 12 admissible evidence. Plaintiff further objects to this request on the ground that it is  
 13 vague and ambiguous. Plaintiff further objects to this request on the ground that it  
 14 is overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 15 request on the ground that it seeks the production of documents containing  
 16 confidential, sensitive, proprietary, commercial, business and financial information.  
 17 Plaintiff further objects to this request to the extent that it seeks documents  
 18 protected by attorney-client privilege or the work-product doctrine.

19 Subject to and without waiving the foregoing objections, Plaintiff responds  
 20 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 21 available for inspection under mutually agreeable terms, following entry of a  
 22 mutually agreeable protective order.

23

24 **REQUEST FOR PRODUCTION NO. 20:**

25 Any and all DOCUMENTS which refer, reflect or relate to any  
 26 communications between YOU and Chris Kovach.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 7 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 8 ground that it violates the right to privacy of a third party. Plaintiff further objects  
 9 to this request to the extent that it seeks documents protected by attorney-client  
 10 privilege or the work-product doctrine.

11           Subject to and without waiving the foregoing objections, Plaintiff responds  
 12 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 13 available for inspection under mutually agreeable terms, following entry of a  
 14 mutually agreeable protective order.

15

16           **REQUEST FOR PRODUCTION NO. 21:**

17           Any and all DOCUMENTS which refer, reflect or relate to the settlement  
 18 agreement between YOU and Chris Kovach, as referenced in YOUR motion for  
 19 preliminary injunction in this matter.

20           **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

21           Plaintiff incorporates by reference each and every one of the General  
 22 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 23 to this request to the extent it seeks information neither relevant to the subject  
 24 matter of this litigation nor reasonably calculated to lead to the discovery of  
 25 admissible evidence. Plaintiff further objects to this request on the ground that it is  
 26 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 27 request on the ground that it violates the right to privacy of a third party. Plaintiff  
 28

1 further objects to this request to the extent that it seeks documents protected by  
 2 attorney-client privilege or the work-product doctrine.

3 Subject to and without waiving the foregoing objections, Plaintiff responds  
 4 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 5 available for inspection under mutually agreeable terms, following entry of a  
 6 mutually agreeable protective order.

7

**REQUEST FOR PRODUCTION NO. 22:**

8 Any and all DOCUMENTS which refer, reflect or relate to any purchase of  
 9 tickets that Chris Kovach or anyone on his behalf made on ticketmaster.com prior  
 10 to May of 2007.

11

**RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

12 Plaintiff incorporates by reference each and every one of the General  
 13 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 14 to this request to the extent that it seeks information neither relevant to the subject  
 15 matter of this litigation nor reasonably calculated to lead to the discovery of  
 16 admissible evidence. Plaintiff further objects to this request on the ground that it is  
 17 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 18 request on the ground that it seeks the production of documents containing  
 19 confidential, sensitive, proprietary, commercial, business and financial information.  
 20 Plaintiff further objects to this request on the ground that it violates the right to  
 21 privacy of a third party. Plaintiff further objects to this request to the extent that it  
 22 seeks documents protected by attorney-client privilege or the work-product  
 23 doctrine.

24

25 Subject to and without waiving the foregoing objections, Plaintiff responds  
 26 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 27 available for inspection under mutually agreeable terms, following entry of a  
 28 mutually agreeable protective order.

1

**REQUEST FOR PRODUCTION NO. 23:**

3 Any and all DOCUMENTS which refer, reflect or relate to any purchase of  
 4 tickets that Chris Kovach or anyone on his behalf made on ticketmaster.com  
 5 subsequent to May of 2007.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

7 Plaintiff incorporates by reference each and every one of the General  
 8 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 9 to this request because it seeks information neither relevant to the subject matter of  
 10 this litigation nor reasonably calculated to lead to the discovery of admissible  
 11 evidence. Plaintiff further objects to this request on the ground that it seeks the  
 12 production of documents containing confidential, sensitive, proprietary,  
 13 commercial, business and financial information. Plaintiff further objects to this  
 14 request on the ground that it violates the right to privacy of a third party. Plaintiff  
 15 further objects to this request to the extent that it seeks documents protected by  
 16 attorney-client privilege or the work-product doctrine.

17

**REQUEST FOR PRODUCTION NO. 24:**

19 Any and all DOCUMENTS which refer, reflect or relate to the first time  
 20 YOU learned that RMG's devices were allegedly being used on ticketmaster.com.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

22 Plaintiff incorporates by reference each and every one of the General  
 23 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 24 to this request to the extent that it seeks information neither relevant to the subject  
 25 matter of this litigation nor reasonably calculated to lead to the discovery of  
 26 admissible evidence. Plaintiff further objects to this request on the ground that it is  
 27 vague and ambiguous, including but not limited to the phrase "RMG's devices."  
 28 Plaintiff further objects to this request on the ground that it seeks the production of

1 documents containing confidential, sensitive, proprietary, commercial, business and  
 2 financial information. Plaintiff further objects to this request to the extent that it  
 3 seeks documents protected by attorney-client privilege or the work-product  
 4 doctrine.

5 Subject to and without waiving the foregoing objections, Plaintiff responds  
 6 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 7 available for inspection under mutually agreeable terms, following entry of a  
 8 mutually agreeable protective order.

9

10 **REQUEST FOR PRODUCTION NO. 25:**

11 Any and all DOCUMENTS which refer, reflect or relate to any technological  
 12 measure that YOU have taken to stop the use of "spiders" on the ticketmaster.com  
 13 website.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

15 Plaintiff incorporates by reference each and every one of the General  
 16 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 17 to this request because it seeks information neither relevant to the subject matter of  
 18 this litigation nor reasonably calculated to lead to the discovery of admissible  
 19 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 20 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 21 ground that it seeks the production of documents containing confidential, sensitive,  
 22 proprietary, commercial, business and financial information. Plaintiff further  
 23 objects to this request to the extent that it seeks documents protected by attorney-  
 24 client privilege or the work-product doctrine.

25 Subject to and without waiving the foregoing objections, Plaintiff responds  
 26 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 27 available for inspection under mutually agreeable terms, following entry of a  
 28 mutually agreeable protective order.

1

2 **REQUEST FOR PRODUCTION NO. 26:**

3 Any and all DOCUMENTS which refer, reflect or relate to any technological  
 4 measure that YOU have taken to stop the use of "robots" on the ticketmaster.com  
 5 website.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

7 Plaintiff incorporates by reference each and every one of the General  
 8 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 9 to this request because it seeks information neither relevant to the subject matter of  
 10 this litigation nor reasonably calculated to lead to the discovery of admissible  
 11 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 12 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 13 ground that it seeks the production of documents containing confidential, sensitive,  
 14 proprietary, commercial, business and financial information. Plaintiff further  
 15 objects to this request to the extent that it seeks documents protected by attorney-  
 16 client privilege or the work-product doctrine.

17 Subject to and without waiving the foregoing objections, Plaintiff responds  
 18 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 19 available for inspection under mutually agreeable terms, following entry of a  
 20 mutually agreeable protective order.

21

22 **REQUEST FOR PRODUCTION NO. 27:**

23 Any and all DOCUMENTS which refer, reflect or relate to any technological  
 24 measure that YOU have taken to stop the use of "bots" on the ticketmaster.com  
 25 website.

26

27

28

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 7 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 8 ground that it seeks the production of documents containing confidential, sensitive,  
 9 proprietary, commercial, business and financial information. Plaintiff further  
 10 objects to this request to the extent that it seeks documents protected by attorney-  
 11 client privilege or the work-product doctrine.

12           Subject to and without waiving the foregoing objections, Plaintiff responds  
 13 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 14 available for inspection under mutually agreeable terms, following entry of a  
 15 mutually agreeable protective order.

16

17           **REQUEST FOR PRODUCTION NO. 28:**

18           Any and all DOCUMENTS which refer, reflect or relate to any technological  
 19 measure that YOU have taken to stop the use of "automatic devices" on the  
 20 ticketmaster.com website.

21           **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

22           Plaintiff incorporates by reference each and every one of the General  
 23 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 24 to this request because it seeks information neither relevant to the subject matter of  
 25 this litigation nor reasonably calculated to lead to the discovery of admissible  
 26 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 27 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 28 ground that it seeks the production of documents containing confidential, sensitive,

1 proprietary, commercial, business and financial information. Plaintiff further  
 2 objects to this request to the extent that it seeks documents protected by attorney-  
 3 client privilege or the work-product doctrine.

4 Subject to and without waiving the foregoing objections, Plaintiff responds  
 5 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 6 available for inspection under mutually agreeable terms, following entry of a  
 7 mutually agreeable protective order.

8

9 **REQUEST FOR PRODUCTION NO. 29:**

10 Any and all DOCUMENTS which refer, reflect or relate to any technological  
 11 measure that YOU have taken to stop the use of "automated processes" on the  
 12 ticketmaster.com website.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

14 Plaintiff incorporates by reference each and every one of the General  
 15 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 16 to this request because it seeks information neither relevant to the subject matter of  
 17 this litigation nor reasonably calculated to lead to the discovery of admissible  
 18 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 19 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 20 ground that it seeks the production of documents containing confidential, sensitive,  
 21 proprietary, commercial, business and financial information. Plaintiff further  
 22 objects to this request to the extent that it seeks documents protected by attorney-  
 23 client privilege or the work-product doctrine.

24 Subject to and without waiving the foregoing objections, Plaintiff responds  
 25 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 26 available for inspection under mutually agreeable terms, following entry of a  
 27 mutually agreeable protective order.

28

1           **REQUEST FOR PRODUCTION NO. 30:**

2           Any and all DOCUMENTS which refer, reflect or relate to any measures  
 3 YOU took to calculate the actual damages that YOU would incur in the event that a  
 4 user of ticketmaster.com accessed more than 1,000 pages of the ticketmaster.com  
 5 website in any twenty four (24) hour period.

6           **RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

7           Plaintiff incorporates by reference each and every one of the General  
 8 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 9 to this request on the ground that it is compound, overbroad, unduly burdensome  
 10 and oppressive. Plaintiff further objects to this request on the ground that it is  
 11 vague and ambiguous, including but not limited to the phrase "any measures YOU  
 12 took". Plaintiff further objects to this request on the ground that it seeks the  
 13 production of documents containing confidential, sensitive, proprietary,  
 14 commercial, business and financial information. Plaintiff further objects to this  
 15 request to the extent that it seeks documents protected by attorney-client privilege  
 16 or the work-product doctrine.

17           Subject to and without waiving the foregoing objections, Plaintiff responds  
 18 as follows: Plaintiff has conducted a diligent search and reasonable inquiry during  
 19 its effort to comply with this Request and has no non-privileged documents  
 20 currently within its possession, custody or control that are responsive to this  
 21 Request.

22

23           **REQUEST FOR PRODUCTION NO. 31:**

24           Any and all DOCUMENTS which refer, reflect or relate to the identity of  
 25 any PERSON who performed any calculation on YOUR behalf as to the actual  
 26 damages that YOU would incur in the event that a user of ticketmaster.com  
 27 accessed more than 1,000 pages of the ticketmaster.com website in any twenty four  
 28 (24) hour period.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 31:**

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request on the ground that it is compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects to this request on the ground that it is vague and ambiguous, including but not limited to the phrase "reflect or relate to the identity of". Plaintiff further objects to this request on the ground that it seeks the production of documents containing confidential, sensitive, proprietary, commercial, business and financial information. Plaintiff further objects to this request to the extent that it seeks documents protected by attorney-client privilege or the work-product doctrine.

Subject to and without waiving the foregoing objections, Plaintiff responds as follows: Plaintiff has conducted a diligent search and reasonable inquiry during its effort to comply with this Request and has no non-privileged documents currently within its possession, custody or control that are responsive to this Request.

**REQUEST FOR PRODUCTION NO. 32:**

Any and all DOCUMENTS which refer, reflect or relate to any monies that YOU have spent on technological measures that YOU have taken to stop the use of spiders, robots, bots, automatic devices or automated processes on the ticketmaster.com website.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 32:**

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request to the extent that it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the ground that it is

1 vague and ambiguous, including but not limited to the phrase "refer, reflect or relate  
 2 to any monies". Plaintiff further objects to this request on the ground that it is  
 3 compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects  
 4 to this request on the ground that it seeks the production of documents containing  
 5 confidential, sensitive, proprietary, commercial, business and financial information.  
 6 Plaintiff further objects to this request to the extent that it seeks documents  
 7 protected by attorney-client privilege or the work-product doctrine.

8 Subject to and without waiving the foregoing objections, Plaintiff responds  
 9 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 10 available for inspection under mutually agreeable terms, following entry of a  
 11 mutually agreeable protective order.

12

**REQUEST FOR PRODUCTION NO. 33:**

13 Any and all DOCUMENTS which refer, reflect or relate to any PERSON  
 14 who YOU have employed, either as an employee or an independent contractor, in  
 15 an attempt to stop the use of spiders, robots, bots, automated devices or automated  
 16 processes on the ticketmaster.com website.

17

**RESPONSE TO REQUEST FOR PRODUCTION NO. 33:**

18 Plaintiff incorporates by reference each and every one of the General  
 19 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 20 to this request on the ground that it is vague and ambiguous, including but not  
 21 limited to the phrase "employed . . . in an attempt". Plaintiff further objects to  
 22 this request to the extent that it lacks foundation. Plaintiff further objects to this  
 23 request on the ground that it is overbroad, unduly burdensome and oppressive.  
 24 Plaintiff further objects to this request on the ground that it seeks the production of  
 25 documents containing confidential, sensitive, proprietary, commercial, business and  
 26 financial information. Plaintiff further objects to this request on the ground that it  
 27 violates the right to privacy of a third party. Plaintiff further objects to this request

1 to the extent that it seeks documents protected by attorney-client privilege or the  
 2 work-product doctrine.

3

4 **REQUEST FOR PRODUCTION NO. 34:**

5 Any and all DOCUMENTS which refer, reflect or relate to any money that  
 6 you have paid to any PERSON who YOU have employed, either as an employee or  
 7 an independent contractor, in an attempt to stop the use of spiders, robots, bots,  
 8 automated devices or automated processes on the ticketmaster.com website.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 34:**

10 Plaintiff incorporates by reference each and every one of the General  
 11 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 12 to this request on the ground that it is vague and ambiguous, including but not  
 13 limited to the phrases "refer, reflect or relate to any money" and "employed . . . in  
 14 an attempt". Plaintiff further objects to this request to the extent that it lacks  
 15 foundation. Plaintiff further objects to this request on the ground that it is  
 16 compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects  
 17 to this request on the ground that it seeks the production of documents containing  
 18 confidential, sensitive, proprietary, commercial, business and financial information.  
 19 Plaintiff further objects to this request on the ground that it violates the right to  
 20 privacy of a third party. Plaintiff further objects to this request to the extent that it  
 21 seeks documents protected by attorney-client privilege or the work-product  
 22 doctrine.

23 Subject to and without waiving the foregoing objections, Plaintiff responds  
 24 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 25 available for inspection under mutually agreeable terms, following entry of a  
 26 mutually agreeable protective order.

27

28

1     **REQUEST FOR PRODUCTION NO. 35:**

2         Any and all DOCUMENTS which refer, reflect or relate to any complaints  
 3         that any of YOUR CLIENTS have made to YOU regarding the use of spiders,  
 4         robots, bots, automated devices or automated processes on the ticketmaster.com  
 5         website.

6     **RESPONSE TO REQUEST FOR PRODUCTION NO. 35:**

7         Plaintiff incorporates by reference each and every one of the General  
 8         Responses and Objections as though fully set forth herein. Plaintiff further objects  
 9         to this request on the ground that it is vague and ambiguous, including but not  
 10         limited to the term "complaints". Plaintiff further objects to this request on the  
 11         ground that it is compound, overbroad, unduly burdensome and oppressive.  
 12         Plaintiff further objects to this request on the ground that it seeks the production of  
 13         documents containing confidential, sensitive, proprietary, commercial, business and  
 14         financial information. Plaintiff further objects to this request on the ground that it  
 15         violates the right to privacy of a third party. Plaintiff further objects to this request  
 16         to the extent that it seeks documents protected by attorney-client privilege or the  
 17         work-product doctrine.

18         Subject to and without waiving the foregoing objections, Plaintiff responds  
 19         as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 20         available for inspection under mutually agreeable terms, following entry of a  
 21         mutually agreeable protective order.

22

23     **REQUEST FOR PRODUCTION NO. 36:**

24         Any and all DOCUMENTS which refer, reflect or relate to any complaints  
 25         that any of YOUR CLIENTS have made to YOU regarding YOUR inability to  
 26         distribute tickets in a fair and equitable manner.

27

28

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 36:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request on the ground that it is vague and ambiguous, including but not  
 5 limited to the term "complaints". Plaintiff further objects to this request on the  
 6 ground that it is overbroad, unduly burdensome and oppressive. Plaintiff further  
 7 objects to this request to the extent that it lacks foundation. Plaintiff further objects  
 8 to this request to the extent that it seeks information neither relevant to the subject  
 9 matter of this litigation nor reasonably calculated to lead to the discovery of  
 10 admissible evidence. Plaintiff further objects to this request on the ground that it  
 11 seeks the production of documents containing confidential, sensitive, proprietary,  
 12 commercial, business and financial information. Plaintiff further objects to this  
 13 request on the ground that it violates the right to privacy of a third party. Plaintiff  
 14 further objects to this request to the extent that it seeks documents protected by  
 15 attorney-client privilege or the work-product doctrine.

16           Subject to and without waiving the foregoing objections, Plaintiff responds  
 17 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 18 available for inspection under mutually agreeable terms, following entry of a  
 19 mutually agreeable protective order.

20

21           **REQUEST FOR PRODUCTION NO. 37:**

22           Any and all DOCUMENTS which refer, reflect or relate to any complaints  
 23 that any of YOUR CUSTOMERS have made to YOU regarding YOUR inability to  
 24 distribute tickets in a fair and equitable manner.

25           **RESPONSE TO REQUEST FOR PRODUCTION NO. 37:**

26           Plaintiff incorporates by reference each and every one of the General  
 27 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 28 to this request on the ground that it is vague and ambiguous, including but not

1 limited to the term "complaints". Plaintiff further objects to this request to the  
 2 extent that it lacks foundation. Plaintiff further objects to this request to the extent  
 3 that it seeks information neither relevant to the subject matter of this litigation nor  
 4 reasonably calculated to lead to the discovery of admissible evidence. Plaintiff  
 5 further objects to this request on the ground that it is overbroad, unduly burdensome  
 6 and oppressive. Plaintiff further objects to this request on the ground that it seeks  
 7 the production of documents containing confidential, sensitive, proprietary,  
 8 commercial, business and financial information. Plaintiff further objects to this  
 9 request on the ground that it violates the right to privacy of a third party. Plaintiff  
 10 further objects to this request to the extent that it seeks documents protected by  
 11 attorney-client privilege or the work-product doctrine.

12 Subject to and without waiving the foregoing objections, Plaintiff responds  
 13 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 14 available for inspection under mutually agreeable terms, following entry of a  
 15 mutually agreeable protective order.

16

17 **REQUEST FOR PRODUCTION NO. 38:**

18 Any and all DOCUMENTS which refer, reflect or relate to the number of  
 19 tickets available for retail sale for each concert on the "Hannah Montana & Miley  
 20 Cyrus: Best of Both Worlds Tour" from January 1, 2007 through February 2008.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 38:**

22 Plaintiff incorporates by reference each and every one of the General  
 23 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 24 to this request because it seeks information neither relevant to the subject matter of  
 25 this litigation nor reasonably calculated to lead to the discovery of admissible  
 26 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 27 ambiguous, including but not limited to the phrase "number of tickets available for  
 28 retail sale". Plaintiff further objects to this request on the ground that it is

1 compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects  
 2 to this request on the ground that it seeks the production of documents containing  
 3 confidential, sensitive, proprietary, commercial, business and financial information.  
 4 Plaintiff further objects to this request to the extent that it seeks documents  
 5 protected by attorney-client privilege or the work-product doctrine.

6 Subject to and without waiving the foregoing objections, Plaintiff responds  
 7 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 8 available for inspection under mutually agreeable terms, following entry of a  
 9 mutually agreeable protective order.

10

**REQUEST FOR PRODUCTION NO. 39:**

11 Any and all DOCUMENTS which refer, reflect or relate to the number of  
 12 tickets available for retail sale to fan club members for each concert on the "Hannah  
 13 Montana & Miley Cyrus: Best of Both Worlds Tour" from January 1, 2007 through  
 14 February 2008.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 39:**

15 Plaintiff incorporates by reference each and every one of the General  
 16 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 17 to this request because it seeks information neither relevant to the subject matter of  
 18 this litigation nor reasonably calculated to lead to the discovery of admissible  
 19 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 20 ambiguous, including but not limited to the phrase "number of tickets available for  
 21 retail sale". Plaintiff further objects to this request on the ground that it is  
 22 compound, overbroad, unduly burdensome and oppressive. Plaintiff further objects  
 23 to this request on the ground that it seeks the production of documents containing  
 24 confidential, sensitive, proprietary, commercial, business and financial information.  
 25 Plaintiff further objects to this request to the extent that it seeks documents  
 26 protected by attorney-client privilege or the work-product doctrine.

28

1           Subject to and without waiving the foregoing objections, Plaintiff responds  
 2 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 3 available for inspection under mutually agreeable terms, following entry of a  
 4 mutually agreeable protective order.

5

6 **REQUEST FOR PRODUCTION NO. 40:**

7           Any and all DOCUMENTS which refer, reflect or relate to the number of  
 8 tickets available for retail sale to the general public for each concert on the "Hannah  
 9 Montana & Miley Cyrus: Best of Both Worlds Tour" from January 1, 2007 through  
 10 February 2008.

11

**RESPONSE TO REQUEST FOR PRODUCTION NO. 40:**

12           Plaintiff incorporates by reference each and every one of the General  
 13 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 14 to this request because it seeks information neither relevant to the subject matter of  
 15 this litigation nor reasonably calculated to lead to the discovery of admissible  
 16 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 17 ambiguous, including but not limited to the phrases "number of tickets available for  
 18 retail sale" and "general public". Plaintiff further objects to this request on the  
 19 ground that it is compound, overbroad, unduly burdensome and oppressive.  
 20 Plaintiff further objects to this request on the ground that it seeks the production of  
 21 documents containing confidential, sensitive, proprietary, commercial, business and  
 22 financial information. Plaintiff further objects to this request to the extent that it  
 23 seeks documents protected by attorney-client privilege or the work-product  
 24 doctrine.

25

26           Subject to and without waiving the foregoing objections, Plaintiff responds  
 27 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 28 available for inspection under mutually agreeable terms, following entry of a  
 mutually agreeable protective order.

1

2 **REQUEST FOR PRODUCTION NO. 41:**

3 Any and all DOCUMENTS which refer, reflect or relate to the number of  
 4 tickets retained by Miley Cyrus for each concert on the "Hannah Montana & Miley  
 5 Cyrus: Best of Both Worlds Tour" from January 1, 2007 through February 2008.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 41:**

7 Plaintiff incorporates by reference each and every one of the General  
 8 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 9 to this request because it seeks information neither relevant to the subject matter of  
 10 this litigation nor reasonably calculated to lead to the discovery of admissible  
 11 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 12 ambiguous, including but not limited to the term "retained". Plaintiff further  
 13 objects to this request on the ground that it is compound, overbroad, unduly  
 14 burdensome and oppressive. Plaintiff further objects to this request on the ground  
 15 that it seeks the production of documents containing confidential, sensitive,  
 16 proprietary, commercial, business and financial information. Plaintiff further  
 17 objects to this request to the extent that it seeks documents protected by attorney-  
 18 client privilege or the work-product doctrine.

19 Subject to and without waiving the foregoing objections, Plaintiff responds  
 20 as follows: Plaintiff has conducted a diligent search and reasonable inquiry during  
 21 its effort to comply with this Request and has no documents currently within its  
 22 possession, custody or control that are responsive to this Request.

23

24 **REQUEST FOR PRODUCTION NO. 42:**

25 Any and all DOCUMENTS which refer, reflect or relate to the number of  
 26 tickets retained by the promoters of the "Hannah Montana & Miley Cyrus: Best of  
 27 Both Worlds Tour" for all concerts of the tour from January 1, 2007 through  
 28 February 2008.

1     **RESPONSE TO REQUEST FOR PRODUCTION NO. 42:**

2                 Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 7 ambiguous, including but not limited to the term "retained". Plaintiff further  
 8 objects to this request on the ground that it is compound, overbroad, unduly  
 9 burdensome and oppressive. Plaintiff further objects to this request on the ground  
 10 that it seeks the production of documents containing confidential, sensitive,  
 11 proprietary, commercial, business and financial information. Plaintiff further  
 12 objects to this request to the extent that it seeks documents protected by attorney-  
 13 client privilege or the work-product doctrine.

14                 Subject to and without waiving the foregoing objections, Plaintiff responds  
 15 as follows: Plaintiff has conducted a diligent search and reasonable inquiry during  
 16 its effort to comply with this Request and has no documents currently within its  
 17 possession, custody or control that are responsive to this Request.

18

19     **REQUEST FOR PRODUCTION NO. 43:**

20                 Any and all DOCUMENTS which refer, reflect or relate to the number of  
 21 tickets retained by the venues where the "Hannah Montana & Miley Cyrus: Best of  
 22 Both Worlds Tour" occurred for all concerts of the tour from January 1, 2007  
 23 through February 2008.

24     **RESPONSE TO REQUEST FOR PRODUCTION NO. 43:**

25                 Plaintiff incorporates by reference each and every one of the General  
 26 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 27 to this request because it seeks information neither relevant to the subject matter of  
 28 this litigation nor reasonably calculated to lead to the discovery of admissible

1 evidence. Plaintiff further objects to this request on the ground that it is vague and  
 2 ambiguous, including but not limited to the term "retained". Plaintiff further  
 3 objects to this request on the ground that it is compound, overbroad, unduly  
 4 burdensome and oppressive. Plaintiff further objects to this request on the ground  
 5 that it seeks the production of documents containing confidential, sensitive,  
 6 proprietary, commercial, business and financial information. Plaintiff further  
 7 objects to this request to the extent that it seeks documents protected by attorney-  
 8 client privilege or the work-product doctrine.

9 Subject to and without waiving the foregoing objections, Plaintiff responds  
 10 as follows: Plaintiff has conducted a diligent search and reasonable inquiry during  
 11 its effort to comply with this Request and has no documents currently within its  
 12 possession, custody or control that are responsive to this Request.  
 13

**14 REQUEST FOR PRODUCTION NO. 44:**

15 Any and all DOCUMENTS which refer, reflect or relate to all tickets to the  
 16 "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" which YOU sold on  
 17 the auction portion of the ticketmaster.com website from January 1, 2007 to  
 18 present.

**19 RESPONSE TO REQUEST FOR PRODUCTION NO. 44:**

20 Plaintiff incorporates by reference each and every one of the General  
 21 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 22 to this request because it seeks information neither relevant to the subject matter of  
 23 this litigation nor reasonably calculated to lead to the discovery of admissible  
 24 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 25 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 26 ground that it seeks the production of documents containing confidential, sensitive,  
 27 proprietary, commercial, business and financial information. Plaintiff further  
 28 objects to this request to the extent that it seeks documents protected by attorney-

1 client privilege or the work-product doctrine. Plaintiff further objects to this  
 2 request on the grounds that it is premature at this time, given Plaintiff's pending  
 3 motion to dismiss Defendant's counter-claim.

4 Subject to and without waiving the foregoing objections, Plaintiff responds  
 5 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 6 available for inspection under mutually agreeable terms, following entry of a  
 7 mutually agreeable protective order.

8

9 **REQUEST FOR PRODUCTION NO. 45:**

10 Any and all DOCUMENTS which refer, reflect or relate to the price of each  
 11 ticket to the "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" which  
 12 YOU sold on the auction portion of the ticketmaster.com website from January 1,  
 13 2007 to present.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 45:**

15 Plaintiff incorporates by reference each and every one of the General  
 16 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 17 to this request because it seeks information neither relevant to the subject matter of  
 18 this litigation nor reasonably calculated to lead to the discovery of admissible  
 19 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 20 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 21 ground that it seeks the production of documents containing confidential, sensitive,  
 22 proprietary, commercial, business and financial information. Plaintiff further  
 23 objects to this request to the extent that it seeks documents protected by attorney-  
 24 client privilege or the work-product doctrine.

25 Subject to and without waiving the foregoing objections, Plaintiff responds  
 26 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 27 available for inspection under mutually agreeable terms, following entry of a  
 28 mutually agreeable protective order.

1

2 **REQUEST FOR PRODUCTION NO. 46:**

3 Any and all DOCUMENTS which refer, reflect or relate to all tickets to the  
 4 "Hannah Montana & Miley Cyrus: Best of Both Worlds Tour" which were sold on  
 5 TicketExchange portion of the ticketmaster.com website from January 1, 2007 to  
 6 present.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 46:**

8 Plaintiff incorporates by reference each and every one of the General  
 9 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 10 to this request because it seeks information neither relevant to the subject matter of  
 11 this litigation nor reasonably calculated to lead to the discovery of admissible  
 12 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 13 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 14 ground that it seeks the production of documents containing confidential, sensitive,  
 15 proprietary, commercial, business and financial information. Plaintiff further  
 16 objects to this request to the extent that it seeks documents protected by attorney-  
 17 client privilege or the work-product doctrine. Plaintiff further objects to this  
 18 request on the grounds that it is premature, given Plaintiff's pending motion to  
 19 dismiss Defendant's counterclaim.

20

21 **REQUEST FOR PRODUCTION NO. 47:**

22 Any and all DOCUMENTS which refer, reflect or relate to all convenience  
 23 charges YOU were paid as a result of sales on the TicketExchange portion of the  
 24 ticketmaster.com website for the "Hannah Montana & Miley Cyrus: Best of Both  
 25 Worlds Tour" from January 1, 2007 to present.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 47:**

27 Plaintiff incorporates by reference each and every one of the General  
 28 Responses and Objections as though fully set forth herein. Plaintiff further objects

1 to this request because it seeks information neither relevant to the subject matter of  
 2 this litigation nor reasonably calculated to lead to the discovery of admissible  
 3 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 4 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 5 ground that it seeks the production of documents containing confidential, sensitive,  
 6 proprietary, commercial, business and financial information. Plaintiff further  
 7 objects to this request to the extent that it seeks documents protected by attorney-  
 8 client privilege or the work-product doctrine. Plaintiff further objects to this  
 9 request on the grounds that it is premature, given Plaintiff's pending motion to  
 10 dismiss Defendant's counterclaim.

11

12 **REQUEST FOR PRODUCTION NO. 48:**

13 Any and all DOCUMENTS which refer, reflect or relate to any agreements  
 14 you had with any PERSON to sell tickets to the "Hannah Montana & Miley Cyrus:  
 15 Best of Both Worlds Tour."

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 48:**

17 Plaintiff incorporates by reference each and every one of the General  
 18 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 19 to this request because it seeks information neither relevant to the subject matter of  
 20 this litigation nor reasonably calculated to lead to the discovery of admissible  
 21 evidence. Plaintiff further objects to this request on the ground that it is overbroad,  
 22 unduly burdensome and oppressive. Plaintiff further objects to this request on the  
 23 ground that it seeks the production of documents containing confidential, sensitive,  
 24 proprietary, commercial, business and financial information. Plaintiff further  
 25 objects to this request on the ground that it violates the right to privacy of a third  
 26 party. Plaintiff further objects to this request to the extent that it seeks documents  
 27 protected by attorney-client privilege or the work-product doctrine.

28

1           **REQUEST FOR PRODUCTION NO. 49:**

2           Any and all DOCUMENTS which refer, reflect or relate to any tickets  
 3 purchased by or on behalf of Thomas J. Prior on the ticketmaster.com website from  
 4 February 1, 2007 to present.

5           **RESPONSE TO REQUEST FOR PRODUCTION NO. 49:**

6           Plaintiff incorporates by reference each and every one of the General  
 7 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 8 to this request to the extent that it seeks information neither relevant to the subject  
 9 matter of this litigation nor reasonably calculated to lead to the discovery of  
 10 admissible evidence. Plaintiff further objects to this request on the ground that it is  
 11 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 12 request on the ground that it seeks the production of documents containing  
 13 confidential, sensitive, proprietary, commercial, business and financial information.  
 14 Plaintiff further objects to this request on the ground that it violates the right to  
 15 privacy of a third party. Plaintiff further objects to this request to the extent that it  
 16 seeks documents protected by attorney-client privilege or the work-product  
 17 doctrine.

18           Subject to and without waiving the foregoing objections, Plaintiff responds  
 19 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 20 available for inspection under mutually agreeable terms, following entry of a  
 21 mutually agreeable protective order.

22

23           **REQUEST FOR PRODUCTION NO. 50:**

24           Any and all DOCUMENTS which refer, reflect or relate to any tickets  
 25 purchased by or on behalf of Gary Charles Bonner on the ticketmaster.com website  
 26 from February 1, 2007 to present.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 50:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request to the extent that it seeks information neither relevant to the subject  
 5 matter of this litigation nor reasonably calculated to lead to the discovery of  
 6 admissible evidence. Plaintiff further objects to this request on the ground that it is  
 7 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 8 request on the ground that it seeks the production of documents containing  
 9 confidential, sensitive, proprietary, commercial, business and financial information.  
 10 Plaintiff further objects to this request on the ground that it violates the right to  
 11 privacy of a third party. Plaintiff further objects to this request to the extent that it  
 12 seeks documents protected by attorney-client privilege or the work-product  
 13 doctrine.

14           Subject to and without waiving the foregoing objections, Plaintiff responds  
 15 as follows: Plaintiff will make all relevant, non-privileged responsive documents  
 16 available for inspection under mutually agreeable terms, following entry of a  
 17 mutually agreeable protective order.

18

19           **REQUEST FOR PRODUCTION NO. 51:**

20           Any and all DOCUMENTS which refer, reflect or relate to any tickets  
 21 purchased by or on behalf of Designer Tickets on the ticketmaster.com website  
 22 from February 1, 2007 to present.

23           **RESPONSE TO REQUEST FOR PRODUCTION NO. 51:**

24           Plaintiff incorporates by reference each and every one of the General  
 25 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 26 to this request to the extent that it seeks information neither relevant to the subject  
 27 matter of this litigation nor reasonably calculated to lead to the discovery of  
 28 admissible evidence. Plaintiff further objects to this request on the ground that it is

1 overbroad, unduly burdensome and oppressive. Plaintiff further objects to this  
 2 request on the ground that it seeks the production of documents containing  
 3 confidential, sensitive, proprietary, commercial, business and financial information.  
 4 Plaintiff further objects to this request on the ground that it violates the right to  
 5 privacy of a third party. Plaintiff further objects to this request to the extent that it  
 6 seeks documents protected by attorney-client privilege or the work-product  
 7 doctrine.

8

9 **REQUEST FOR PRODUCTION NO. 52:**

10 Any and all DOCUMENTS which refer, reflect or relate to any  
 11 communications that YOU have had with Barry's Tickets, located in Los Angeles,  
 12 California, regarding the possible sale of the Barry's Tickets business to YOU.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 52:**

14 Plaintiff incorporates by reference each and every one of the General  
 15 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 16 to this request because it seeks information neither relevant to the subject matter of  
 17 this litigation nor reasonably calculated to lead to the discovery of admissible  
 18 evidence. Plaintiff further objects to this request on the ground that it lacks  
 19 foundation. Plaintiff further objects to this request on the ground that it violates the  
 20 right to privacy of a third party. Plaintiff further objects to this request on the  
 21 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 22 Defendant's counterclaim.

23

24 **REQUEST FOR PRODUCTION NO. 53:**

25 Any and all DOCUMENTS which refer, reflect or relate to any  
 26 communications that YOU have had with Sea Coast Ticket Agency, Inc. located in  
 27 Portsmouth, New Hampshire, regarding the possible sale of the Sea Coast Ticket  
 28 Agency business to YOU.

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 53:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request on the ground that it lacks  
 7 foundation. Plaintiff further objects to this request on the ground that it violates the  
 8 right to privacy of a third party. Plaintiff further objects to this request on the  
 9 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 10 Defendant's counterclaim.

11

12           **REQUEST FOR PRODUCTION NO. 54:**

13           Any and all DOCUMENTS which refer, reflect or relate to any  
 14 communications that YOU have had with Total Travel and Tickets in Florida  
 15 regarding the possible sale of the Total Travel and Tickets business to YOU.

16           **RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

17           Plaintiff incorporates by reference each and every one of the General  
 18 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 19 to this request because it seeks information neither relevant to the subject matter of  
 20 this litigation nor reasonably calculated to lead to the discovery of admissible  
 21 evidence. Plaintiff further objects to this request on the ground that it lacks  
 22 foundation. Plaintiff further objects to this request on the ground that it violates the  
 23 right to privacy of a third party. Plaintiff further objects to this request on the  
 24 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 25 Defendant's counterclaim.

26

27

28

1           **REQUEST FOR PRODUCTION NO. 55:**

2           Any and all DOCUMENTS which refer, reflect or relate to any  
 3 communications that YOU have had with Admit One, located in New York, new  
 4 York regarding the possible sale of the Admit One business to YOU.

5           **RESPONSE TO REQUEST FOR PRODUCTION NO. 55:**

6           Plaintiff incorporates by reference each and every one of the General  
 7 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 8 to this request because it seeks information neither relevant to the subject matter of  
 9 this litigation nor reasonably calculated to lead to the discovery of admissible  
 10 evidence. Plaintiff further objects to this request on the ground that it lacks  
 11 foundation. Plaintiff further objects to this request on the ground that it violates the  
 12 right to privacy of a third party. Plaintiff further objects to this request on the  
 13 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 14 Defendant's counterclaim.

15

16           **REQUEST FOR PRODUCTION NO. 56:**

17           Any and all DOCUMENTS which refer, reflect or relate to any  
 18 communications that YOU have had with As Off Music regarding the possible sale  
 19 of the As Off Music business to YOU.

20           **RESPONSE TO REQUEST FOR PRODUCTION NO. 56:**

21           Plaintiff incorporates by reference each and every one of the General  
 22 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 23 to this request because it seeks information neither relevant to the subject matter of  
 24 this litigation nor reasonably calculated to lead to the discovery of admissible  
 25 evidence. Plaintiff further objects to this request on the ground that it lacks  
 26 foundation. Plaintiff further objects to this request on the ground that it violates the  
 27 right to privacy of a third party. Plaintiff further objects to this request on the

28

1 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 2 Defendant's counterclaim.

3

4 **REQUEST FOR PRODUCTION NO. 57:**

5 Any and all DOCUMENTS which refer, reflect or relate to any tickets that  
 6 YOU have sold to Barry's Tickets in Los Angeles, California from January 1, 2007  
 7 to present.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

9 Plaintiff incorporates by reference each and every one of the General  
 10 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 11 to this request because it seeks information neither relevant to the subject matter of  
 12 this litigation nor reasonably calculated to lead to the discovery of admissible  
 13 evidence. Plaintiff further objects to this request to the extent that it lacks  
 14 foundation. Plaintiff further objects to this request on the ground that it violates the  
 15 right to privacy of a third party. Plaintiff further objects to this request on the  
 16 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 17 Defendant's counterclaim.

18

19 **REQUEST FOR PRODUCTION NO. 58:**

20 Any and all DOCUMENTS which refer, reflect or relate to any  
 21 complementary tickets that YOU have given to Barry's Tickets in Los Angeles,  
 22 California from January 1, 2007 to present.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

24 Plaintiff incorporates by reference each and every one of the General  
 25 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 26 to this request because it seeks information neither relevant to the subject matter of  
 27 this litigation nor reasonably calculated to lead to the discovery of admissible  
 28 evidence. Plaintiff further objects to this request to the extent that it lacks

1 foundation. Plaintiff further objects to this request on the ground that it violates the  
 2 right to privacy of a third party. Plaintiff further objects to this request on the  
 3 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 4 Defendant's counterclaim.

5

**REQUEST FOR PRODUCTION NO. 59:**

7 Any and all DOCUMENTS which refer, reflect or relate to any tickets that  
 8 YOU have sold to Sea Coast Ticket Agency, located in Portsmouth, New  
 9 Hampshire from January 1, 2007 to present.

10

**RESPONSE TO REQUEST FOR PRODUCTION NO. 59:**

11 Plaintiff incorporates by reference each and every one of the General  
 12 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 13 to this request because it seeks information neither relevant to the subject matter of  
 14 this litigation nor reasonably calculated to lead to the discovery of admissible  
 15 evidence. Plaintiff further objects to this request to the extent that it lacks  
 16 foundation. Plaintiff further objects to this request on the ground that it violates the  
 17 right to privacy of a third party. Plaintiff further objects to this request on the  
 18 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 19 Defendant's counterclaim.

20

**REQUEST FOR PRODUCTION NO. 60:**

22 Any and all DOCUMENTS which refer, reflect or relate to any  
 23 complementary tickets that YOU have given to Sea Coast Ticket Agency, located in  
 24 Portsmouth, New Hampshire from January 1, 2007 to present.

25

**RESPONSE TO REQUEST FOR PRODUCTION NO. 60:**

26 Plaintiff incorporates by reference each and every one of the General  
 27 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 28 to this request because it seeks information neither relevant to the subject matter of

1 this litigation nor reasonably calculated to lead to the discovery of admissible  
 2 evidence. Plaintiff further objects to this request to the extent that it lacks  
 3 foundation. Plaintiff further objects to this request on the ground that it violates the  
 4 right to privacy of a third party. Plaintiff further objects to this request on the  
 5 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 6 Defendant's counterclaim.

7

8 **REQUEST FOR PRODUCTION NO. 61:**

9 Any and all DOCUMENTS which refer, reflect or relate to any tickets that  
 10 YOU have sold to Total Travel and Tickets, located in Florida, from January 1,  
 11 2007 to present.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 61:**

13 Plaintiff incorporates by reference each and every one of the General  
 14 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 15 to this request because it seeks information neither relevant to the subject matter of  
 16 this litigation nor reasonably calculated to lead to the discovery of admissible  
 17 evidence. Plaintiff further objects to this request to the extent that it lacks  
 18 foundation. Plaintiff further objects to this request on the ground that it violates the  
 19 right to privacy of a third party. Plaintiff further objects to this request on the  
 20 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 21 Defendant's counterclaim.

22

23 **REQUEST FOR PRODUCTION NO. 62:**

24 Any and all DOCUMENTS which refer, reflect or relate to any  
 25 complementary tickets that YOU have given to Total Travel and Tickets, located in  
 26 Florida from January 1, 2007 to present.

27

28

1           **RESPONSE TO REQUEST FOR PRODUCTION NO. 62:**

2           Plaintiff incorporates by reference each and every one of the General  
 3 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 4 to this request because it seeks information neither relevant to the subject matter of  
 5 this litigation nor reasonably calculated to lead to the discovery of admissible  
 6 evidence. Plaintiff further objects to this request to the extent that it lacks  
 7 foundation. Plaintiff further objects to this request on the ground that it violates the  
 8 right to privacy of a third party. Plaintiff further objects to this request on the  
 9 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 10 Defendant's counterclaim.

11

12           **REQUEST FOR PRODUCTION NO. 63:**

13           Any and all DOCUMENTS which refer, reflect or relate to any tickets that  
 14 YOU have sold to Admit One, located in New York, from January 1, 2007 to  
 15 present.

16           **RESPONSE TO REQUEST FOR PRODUCTION NO. 63:**

17           Plaintiff incorporates by reference each and every one of the General  
 18 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 19 to this request because it seeks information neither relevant to the subject matter of  
 20 this litigation nor reasonably calculated to lead to the discovery of admissible  
 21 evidence. Plaintiff further objects to this request to the extent that it lacks  
 22 foundation. Plaintiff further objects to this request on the ground that it violates the  
 23 right to privacy of a third party. Plaintiff further objects to this request on the  
 24 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 25 Defendant's counterclaim.

**REQUEST FOR PRODUCTION NO. 64:**

Any and all DOCUMENTS which refer, reflect or relate to any complementary tickets that YOU have given to Admit One, located in New York, from January 1, 2007 to present.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 64:**

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request to the extent that it lacks foundation. Plaintiff further objects to this request on the ground that it violates the right to privacy of a third party. Plaintiff further objects to this request on the grounds that it is premature, given Plaintiff's pending motion to dismiss Defendant's counterclaim.

**REQUEST FOR PRODUCTION NO. 65:**

Any and all DOCUMENTS which refer, reflect or relate to any tickets that YOU have sold to As Off Music from January 1, 2007 to present.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 65:**

Plaintiff incorporates by reference each and every one of the General Responses and Objections as though fully set forth herein. Plaintiff further objects to this request because it seeks information neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request to the extent that it lacks foundation. Plaintiff further objects to this request on the ground that it violates the right to privacy of a third party. Plaintiff further objects to this request on the grounds that it is premature, given Plaintiff's pending motion to dismiss Defendant's counterclaim.

1

2 **REQUEST FOR PRODUCTION NO. 66:**

3 Any and all DOCUMENTS which refer, reflect or relate to any  
 4 complementary tickets that YOU have given to As Off Music from January 1, 2007  
 5 to present.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 66:**

7 Plaintiff incorporates by reference each and every one of the General  
 8 Responses and Objections as though fully set forth herein. Plaintiff further objects  
 9 to this request because it seeks information neither relevant to the subject matter of  
 10 this litigation nor reasonably calculated to lead to the discovery of admissible  
 11 evidence. Plaintiff further objects to this request to the extent that it lacks  
 12 foundation. Plaintiff further objects to this request on the ground that it violates the  
 13 right to privacy of a third party. Plaintiff further objects to this request on the  
 14 grounds that it is premature, given Plaintiff's pending motion to dismiss  
 15 Defendant's counterclaim.

16

17

Dated: January 29, 2008

MANATT, PHELPS & PHILLIPS, LLP  
 ROBERT H. PLATT  
 MARK S. LEE  
 DONALD R. BROWN

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By:

  
 Donald R. Brown  
 Attorneys for Plaintiff  
 TICKETMASTER L.L.C.

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**PROOF OF SERVICE**

I, Karen K. Pickering, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 11355 West Olympic Boulevard, Los Angeles, California 90064-1614. On January 29, 2008, I served a copy of the within document(s):

**PLAINTIFF TICKETMASTER L.L.C.'S RESPONSES TO RMG TECHNOLOGIES, INC.'S REQUESTS FOR PRODUCTION OF DOCUMENTS (SET ONE).**

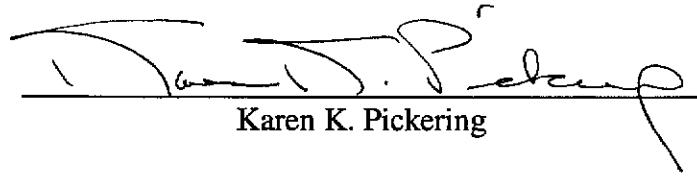
- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- by placing the document(s) listed above in a sealed envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Golden State Overnight agent for delivery.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- by sending an electronic message with attached PDF.

David N. Tarlow, Esq.  
 Law Offices of Coggan & Tarlow  
 1925 Century Park East, Suite 2320  
 Los Angeles, California 90067-2343  
 Tel. No. (310) 407-0922  
 Fax No. (310) 407-0923  
 Email: [dnt@cogganlaw.com](mailto:dnt@cogganlaw.com)

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 29, 2008, at Los Angeles, California.



Karen K. Pickering